



Province of Alberta

The 29th Legislature  
Second Session

# Alberta Hansard

Tuesday afternoon, December 6, 2016

Day 58

The Honourable Robert E. Wanner, Speaker

**Legislative Assembly of Alberta**  
**The 29th Legislature**

Second Session

Wanner, Hon. Robert E., Medicine Hat (ND), Speaker  
Jabbour, Deborah C., Peace River (ND), Deputy Speaker and Chair of Committees  
Sweet, Heather, Edmonton-Manning (ND), Deputy Chair of Committees

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Anderson, Wayne, Highwood (W)	MacIntyre, Donald, Innisfail-Sylvan Lake (W)
Babcock, Erin D., Stony Plain (ND)	Malkinson, Brian, Calgary-Currie (ND)
Barnes, Drew, Cypress-Medicine Hat (W)	Mason, Hon. Brian, Edmonton-Highlands-Norwood (ND), Government House Leader
Bilous, Hon. Deron, Edmonton-Beverly-Clareview (ND), Deputy Government House Leader	McCuaig-Boyd, Hon. Margaret, Dunvegan-Central Peace-Notley (ND)
Carlier, Hon. Oneil, Whitecourt-St. Anne (ND), Deputy Government House Leader	McIver, Ric, Calgary-Hays (PC), Leader of the Progressive Conservative Opposition
Carson, Jonathon, Edmonton-Meadowlark (ND)	McKitrick, Annie, Sherwood Park (ND)
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Clark, Greg, Calgary-Elbow (AP)	McPherson, Karen M., Calgary-Mackay-Nose Hill (ND)
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Coolahan, Craig, Calgary-Klein (ND)	Miranda, Hon. Ricardo, Calgary-Cross (ND)
Cooper, Nathan, Olds-Didsbury-Three Hills (W), Official Opposition House Leader	Nielsen, Christian E., Edmonton-Decore (ND)
Cortes-Vargas, Estefania, Strathcona-Sherwood Park (ND), Government Whip	Nixon, Jason, Rimbey-Rocky Mountain House-Sundre (W), Official Opposition Whip
Cyr, Scott J., Bonnyville-Cold Lake (W), Official Opposition Deputy Whip	Notley, Hon. Rachel, Edmonton-Strathcona (ND), Premier
Dach, Lorne, Edmonton-McClung (ND)	Orr, Ronald, Lacombe-Ponoka (W)
Dang, Thomas, Edmonton-South West (ND)	Panda, Prasad, Calgary-Foothills (W)
Drever, Deborah, Calgary-Bow (ND)	Payne, Hon. Brandy, Calgary-Acadia (ND)
Drysdale, Wayne, Grande Prairie-Wapiti (PC), Progressive Conservative Opposition Whip	Phillips, Hon. Shannon, Lethbridge-West (ND)
Eggen, Hon. David, Edmonton-Calder (ND)	Piquette, Colin, Athabasca-Sturgeon-Redwater (ND)
Ellis, Mike, Calgary-West (PC)	Pitt, Angela D., Airdrie (W)
Feehan, Hon. Richard, Edmonton-Rutherford (ND)	Renaud, Marie F., St. Albert (ND)
Fildebrandt, Derek Gerhard, Strathmore-Brooks (W)	Rodney, Dave, Calgary-Lougheed (PC), Progressive Conservative Opposition House Leader
Fitzpatrick, Maria M., Lethbridge-East (ND)	Rosendahl, Eric, West Yellowhead (ND)
Fraser, Rick, Calgary-South East (PC)	Sabir, Hon. Irfan, Calgary-McCall (ND)
Ganley, Hon. Kathleen T., Calgary-Buffalo (ND)	Schmidt, Hon. Marlin, Edmonton-Gold Bar (ND)
Gill, Prab, Calgary-Greenway (PC)	Schneider, David A., Little Bow (W)
Goehring, Nicole, Edmonton-Castle Downs (ND)	Schreiner, Kim, Red Deer-North (ND)
Gotfried, Richard, Calgary-Fish Creek (PC)	Shepherd, David, Edmonton-Centre (ND)
Gray, Hon. Christina, Edmonton-Mill Woods (ND)	Sigurdson, Hon. Lori, Edmonton-Riverview (ND)
Hanson, David B., Lac La Biche-St. Paul-Two Hills (W), Official Opposition Deputy House Leader	Smith, Mark W., Drayton Valley-Devon (W)
Hinkley, Bruce, Wetaskiwin-Camrose (ND)	Starke, Dr. Richard, Vermilion-Lloydminster (PC)
Hoffman, Hon. Sarah, Edmonton-Glenora (ND)	Stier, Pat, Livingstone-Macleod (W)
Horne, Trevor A.R., Spruce Grove-St. Albert (ND)	Strankman, Rick, Drumheller-Stettler (W)
Hunter, Grant R., Cardston-Taber-Warner (W)	Sucha, Graham, Calgary-Shaw (ND)
Jansen, Sandra, Calgary-North West (ND)	Swann, Dr. David, Calgary-Mountain View (AL)
Jean, Brian Michael, QC, Fort McMurray-Conklin (W), Leader of the Official Opposition	Taylor, Wes, Battle River-Wainwright (W)
Kazim, Anam, Calgary-Glenmore (ND)	Turner, Dr. A. Robert, Edmonton-Whitemud (ND)
Kleinstuber, Jamie, Calgary-Northern Hills (ND)	van Dijken, Glenn, Barrhead-Morinville-Westlock (W)
Larivee, Hon. Danielle, Lesser Slave Lake (ND)	Westhead, Cameron, Banff-Cochrane (ND), Deputy Government Whip
Littlewood, Jessica, Fort Saskatchewan-Vegreville (ND)	Woollard, Denise, Edmonton-Mill Creek (ND)
Loewen, Todd, Grande Prairie-Smoky (W)	Yao, Tany, Fort McMurray-Wood Buffalo (W)

**Party standings:**

New Democrat: 55      Wildrose: 22      Progressive Conservative: 8      Alberta Liberal: 1      Alberta Party: 1

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Shannon Dean, Law Clerk and Director of House Services	Philip Massolin, Manager of Research and Committee Services	Chris Caughell, Deputy Sergeant-at-Arms
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Oneil Carlier	Minister of Agriculture and Forestry
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David Eggen	Minister of Education
Richard Feehan	Minister of Indigenous Relations
Kathleen T. Ganley	Minister of Justice and Solicitor General
Christina Gray	Minister of Labour, Minister Responsible for Democratic Renewal
Danielle Larivee	Minister of Municipal Affairs
Brian Mason	Minister of Infrastructure, Minister of Transportation
Margaret McCuaig-Boyd	Minister of Energy
Stephanie V. McLean	Minister of Service Alberta, Minister of Status of Women
Ricardo Miranda	Minister of Culture and Tourism
Brandy Payne	Associate Minister of Health
Shannon Phillips	Minister of Environment and Parks, Minister Responsible for the Climate Change Office
Irfan Sabir	Minister of Human Services
Marlin Schmidt	Minister of Advanced Education
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**STANDING AND SPECIAL COMMITTEES OF THE LEGISLATIVE ASSEMBLY OF ALBERTA**

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Chair: Mr. Coolahan  
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Cyr	McKitrick
Dang	Taylor
Ellis	Turner
Horne	

**Standing Committee on Alberta's Economic Future**

Chair: Mr. Sucha  
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Anderson, S.	Hunter
Carson	Jansen
Connolly	Panda
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Hinkley	Pitt
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Babcock	McKitrick
Drever	Rosendahl
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**Standing Committee on Privileges and Elections, Standing Orders and Printing**

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Carson	Loyola
Coolahan	McPherson
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Goehring	Starke
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**Standing Committee on Public Accounts**

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Barnes	Luff
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**Standing Committee on Resource Stewardship**

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Hanson	Woollard
Kazim	

## Legislative Assembly of Alberta

1:30 p.m.

Tuesday, December 6, 2016

[The Speaker in the chair]

**The Speaker:** Good afternoon. It's very cold outside. Please be seated.

### Introduction of Guests

**The Speaker:** The hon. Minister of Health.

**Ms Hoffman:** Thank you very much, Mr. Speaker. It's my pleasure today to introduce to you and through you a group of entrepreneurs and community leaders who are part of the vibrant constituency I represent, Edmonton-Glenora. Here with us today we have Marie-Laure Polydore, who is the executive director of the Inglewood Business Improvement Area, along with board members Marc Tellier and Denise Beaupre as well as Dan Barsotti. The Inglewood BIA is seeing a surge in growth. It really is one of Edmonton's hidden treasures, with 118 businesses now part of this thriving shopping area. I want to encourage all of my colleagues to spend their money here while they're in Edmonton and all Albertans as well. I ask that our guests from the Inglewood BIA please rise and accept the traditional warm welcome of our Assembly.

**The Speaker:** Welcome.

**Ms Fitzpatrick:** Mr. Speaker, I have three introductions to do today. I'm very pleased to introduce to you and through you to the members of this Assembly my friend and former colleague at the Edmonton parole office and now professor of the criminal justice program at Grant MacEwan University, Tim Williams. If you would please rise, Tim, and receive the traditional warm welcome of our Assembly.

For my second and third introductions, Mr. Speaker, I'm honoured to stand and introduce to you and through you to the members of this Assembly a long-time friend and colleague, Stan Stapleton, the president of the Union of Solicitor General Employees, my former union, and a fellow Newfoundlander, Nancy Peckford, a well-known political name in Newfoundland, who is currently USGE's director of policy, projects, and media relations and works with Equal Voice. They are here in Edmonton this week to meet with me as a former member and local president and, in particular, to meet with USGE members at Edmonton Institution in light of the sexual harassment allegations which came to light recently at the institution. Today is certainly the perfect day for them to be here in this Legislature as I will read my statement.

**The Speaker:** Hon. member, do you have an introduction to make?

**Ms Fitzpatrick:** Yes. I ask Nancy and Stan to rise and receive the traditional warm welcome of this Legislature.

**The Speaker:** Welcome.

The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Mr. Speaker. I am honoured today to rise and introduce to you and through you to all members of this Assembly some of the outstanding members of the Women's Committee from UFCW local 401. The committee members are here today to listen to my member's statement about their shoe drive. Joining us here in the gallery, led by Sheena Thomson, the co-chair of the provincial Women's Committee, are Heather

Pocock, Colleen Ewen, Charmaine St. Germain, Petra Garbe, Starla Valentini, Sue Michael, and Sandy Novak. I would ask them now to please rise and receive the traditional warm welcome of this Assembly.

**The Speaker:** Welcome.

The hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Mr. Speaker. It gives me a real pleasure to introduce to you and through you a group of Liberal stalwarts here in Edmonton. These men and women are committed to and passionate about the issues facing our province today. At our recent policy convention in Calgary many of them were involved in the policies on small-business protection, community assistance, pipelines, transparent government, and LGBTQ issues. They're hopeful these policies will one day end up on the floor of this House, and they've come to see the Legislature in action. Would they stand as I introduce their names: Kerrie Johnston, Dylan Chevalier, Nichole Batienco, Greg Reid, and Eric Fadden. I don't think Dan Cochrane is with us today. Please give them the warm welcome.

**The Speaker:** Welcome.

Of course, I would remind all of us as we move forward – I think I might have said the same thing yesterday – about brevity, brevity with respect to the introductions, hon. members.

## Members' Statements

### Violence against Women

**Ms Fitzpatrick:** Mr. Speaker, 28 years ago the lives of 14 young women were taken simply because they were women, women who had chosen to study engineering at l'école Polytechnique de Montréal. The perpetrator apparently felt he was entitled to be in that program and that women were not. There are over 1,200 murdered and missing indigenous women whose cases have not yet been resolved. Public threats, abusive language have been flung at our Premier, some of my colleagues, and myself. Even here in the Legislature disrespect is seen. I see the statistics on the number of women and children here in our province running for their lives. I am sick at heart. This really is a national tragedy, in fact an international tragedy. This is epidemic, and we have to take action.

I have identified and speak to the things which I believe are critical in changing this path. From my own experience, I know that when we speak to and treat one another with respect; when we value all that each person has to offer; when we call abuse, bullying, harassment, demeaning behaviour what it is; when men stand up and call on those who are behaving in this manner to stop; when women will not tolerate being disrespected, demeaned, or not valued for everything that they bring to a relationship – I have taken a stance against violence, and I have both in word and action participated in the United Nations 16-day campaign. We can all choose to be part of the solution, or we can continue to be part of the problem. Are you standing up to stop violence against women through your words and action? Yes or no?

### Unemployment

**Mr. Panda:** Mr. Speaker, Calgary's unemployment rate now stands at 10.3 per cent. In Alberta as a whole unemployment stands at a whopping 9 per cent. Albertans are not used to this many people being out of work. Over 13,000 people lost work just last month. That is 74,000 full-time jobs lost since last November. In September weekly earnings dropped to \$1,100 and are down 1.7 per

cent year over year. These are Albertans. These are family members, friends, and neighbours, but all they see are damaging NDP policies making things worse. The carbon tax will make them poorer, it will damage local businesses, and it takes money away from the charities. These NDP policies are cold and uncaring towards the tens of thousands of Calgaryans suffering today.

When I tour Alberta and speak to Albertans, it's clear that the cap on production will contribute to layoffs across the province. Since January 2016 Calgary's working-age population has increased by over 16,000 residents, and the labour market cannot keep up. Calgary's growing population is putting pressure on its unemployment rate. The NDP is setting up Calgary's economy for low wages and higher unemployment in the long term.

1:40

An unemployed couple in their early 50s living in Calgary-Foothills went looking for retraining. Alberta Works referred them to a third-party agency, and when they got there, Mr. Speaker, the agency told them that in order to get retraining, they must have a job first or be an immigrant of two years or less or need English as a second language or other roadblocks. We must do better to ease . . .

**The Speaker:** Thank you, hon. member.

#### Renewable Energy Initiatives in Wetaskiwin-Camrose

**Mr. Hinkley:** Mr. Speaker, my constituency of Wetaskiwin-Camrose is taking a positive, progressive leadership stance on environmental stewardship with the use of renewable energy. For example, at the local hardware store constituent Ken Koob has bought all the solar panels and equipment he needs to utilize solar energy in his apartment. City councillors Bill Sears in Camrose and Bert Horvey in Wetaskiwin have had solar panels installed on their homes to show green energy leadership before any residential rebates are in place. The city of Camrose's Recreation Centre has the second-largest installation of solar panels in Alberta. The Loughheed performing arts centre on the U of A Augustana campus has installed LED lights in their new theatre and is the first in Canada to use photovoltaic cells not on but in their exterior walls. The county of Camrose uses biomass to heat their administrative centre.

The city of Wetaskiwin uses geothermal heating for city hall, has an electric car charging station, uses solar panels on the drill hall and swimming pool, and has replaced every street light with LED lighting. Both Montana and Louis Bull Cree nations have installed solar panels on their administrative buildings. Dairy farmers Susan and Evan Schuurman have taken part in the farm solar panel program, as have hundreds of Albertan farmers. Parkland Fertilizers installed 300 solar panels when they built their new buildings. Bruce Ganske and the Solar Energy Society of Alberta are looking to open up a school in Wetaskiwin to certify solar panel installers. Entrepreneur Greg Arend's company, Solar Harvest, exemplifies the future found in the renewable energy industry.

Mr. Speaker, progressive leadership is happening at the grassroots level. It is happening in my constituency and across Alberta. I am very proud of my constituency. Renewable energy will produce enough energy and grow despite the naysayers. The renewable energy future is happening now.

Thank you.

**The Speaker:** The hon. Member for Edmonton-Decore.

#### Support for Victims of Gender-based Violence

**Mr. Nielsen:** Thank you, Mr. Speaker. December 6 is the National Day of Remembrance and Action on Violence against Women. We remember this day because 14 female engineering students were murdered at l'école Polytechnique in Montreal on December 6, 1989. This was clearly an act of gender-based violence.

Today we also commemorate the missing and murdered aboriginal women, trans women, and each and every woman across the world whose lives have been harmed or lost to gender-based violence.

Mr. Speaker, it is astounding that in the 21st century there are some in society that can't figure out that violence and intimidation of any kind toward women is simply not acceptable. Until we solve this, women and children that are forced to flee this violence need our help.

Last year the United Food and Commercial Workers local 401 started a shoe drive by collecting gently worn and new women's and children's shoes because often they are fleeing with merely the clothes on their backs. They collected 35 pairs of shoes last year in Edmonton, but we all know that there are far more women and children fleeing violence than that.

My office and those of my colleagues in collaboration with UFCW local 401 are again collecting gently worn and new women's and children's shoes. You can arrange a drop-off of your donations by calling any one of our Edmonton offices. Until everyone realizes that violence against women is not acceptable, the least we can do is to help them walk away from it.

Thank you, Mr. Speaker.

**The Speaker:** The hon. Member for Stony Plain.

#### Women's Political Participation

**Ms Babcock:** Thank you, Mr. Speaker. Today in the Alberta Legislature we have 33 per cent women sitting in our House; 97 per cent of those members sit on the government side. This is something that I am, of course, very proud of. But this is not the case even here in Canada, where only four of 13 jurisdictions have achieved the minimum 30 per cent participation of women as outlined in the 2011 UN resolution on women's political participation.

In Alberta we have much to be proud of, not only with our female legislators but also with three open LGBTQ members and ethnic minorities represented. We have almost reached parity as a caucus but not quite as a Legislature.

There is still much work to be done. I believe in using all tools available to achieve a successful result. Studies from MIT and Carnegie Mellon, among others, point to some diversity being good, to more women being important, and that to encourage this is imperative. In this way, supporting women and minorities may be a tool in the tool box to encourage participation of marginalized groups, but it cannot be the only tool implemented. It does not accomplish enough. Today less than 19 per cent of legislators world-wide are women, and it's much lower for minority ethnic groups.

Mentorship, pairing younger women with experienced women leaders, I believe, is one of the best strategies to encourage female participation in our legislative system. This type of role modelling can make the difference for our daughters, teaching them that being assertive does not mean you are not feminine, that it takes strength to show emotion, and that you can be respected as a person while rejecting misogyny. We must show our sons that this is the norm.

Mr. Speaker, let us work toward a structure and a society where neither gender nor ethnicity are determinants of success. Thank you.

### **National Day of Remembrance and Action on Violence against Women**

**Mrs. Pitt:** On this day 27 years ago 14 women were killed and 14 others were injured at l'école Polytechnique in Montreal. Armed with a rifle, he entered into an engineering classroom, pointing his rifle at the women in the class, and said: you're all a bunch of feminists; I hate feminists. In his suicide note he blamed feminists for ruining his life, saying that he believed women had no place in engineering because they would take jobs from men.

Today, on this most sombre anniversary, it is important that we reflect on the events of that day and the lives of the victims and take a stand against senseless, gender-based violence. Even today, in 2016, it remains a reality that women and girls are still victims of gender-based physical and psychological attacks.

I know that here in Canada and Alberta there are many important conversations taking place and much important work being done, for example, supporting women's shelters and transition houses for those fleeing domestic violence. I am proud to say that in my constituency of Airdrie a dedicated group of volunteers known as Airdrie P.O.W.E.R. has set out to fill the need and provide these shelters. There is something I know we all recognize as progress.

Today and every December 6 Canadians remember the 14 victims and recognize the National Day of Remembrance and Action on Violence against Women because there is still a need to ensure our daughters, sisters, mothers, and friends can live in an Alberta without tolerance for any type of violence.

1:50

### **Notices of Motions**

**The Speaker:** The hon. Official Opposition House Leader.

**Mr. Cooper:** Well, thank you, Mr. Speaker. At the appropriate time I intend to move the following notice of Standing Order 42. The Member for Olds-Didsbury-Three Hills to propose the following motion:

Be it resolved that the Legislative Assembly:

1. Appoint a select special child intervention review committee to review the safety and security of children in government care by examining Alberta's child intervention system and related systems, including but not limited to the Department of Human Services and the Department of Indigenous Relations, and the committee will further review the recommendations for the child intervention system made over the past five years and may for the purpose of systemic improvement inquire into specific cases;
2. The committee shall be chaired by the Speaker, Deputy Speaker, or Deputy Chair of Committees and consist of seven members from the government members' caucus, three members from the Official Opposition, two members from the third party, the Member for Calgary-Elbow, and the Member for Calgary-Mountain View, with the names of all members to be submitted to the Clerk by no later than December 15, 2016;
3. In carrying out its duties, the committee may travel throughout Alberta and undertake a process of consultations with all interested Albertans;
4. In carrying out its duties, the committee may solicit written submissions from experts in the field and may compel the appearance of witnesses with specific and relevant knowledge on matters being investigated;

5. The committee is deemed to continue beyond prorogation and may meet during a period when the Assembly is adjourned or prorogued;
6. Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chair;
7. In carrying out its responsibilities, the committee may, with the concurrence of the head of the department, utilize the services of the public service employed in that department or the staff employed by the Legislative Assembly Office and the officers of the Legislature;
8. The committee must ensure that any and all front-line workers and managers in children services and any delegates or contractors for children services that wish to speak to the all-party committee are given full whistle-blower protections;
9. The committee must submit its report within one year after commencing its review;
10. When its work has been completed, the committee must report to the Assembly if it is sitting, or if the Assembly is adjourned, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

### **Oral Question Period**

**The Speaker:** The Leader of Her Majesty's Official Opposition.

### **Student Assessment**

**Mr. Jean:** Education is the one part of what government does that if it is done well, everything else the government does gets easier. If the government screws up the education file, everything else gets harder in the long run. The previous government and this government have been screwing up education here in Alberta. We used to be the best in class in Canada and world class. The new PISA results are out, and Alberta is less than average in math in Canada and failing with respect to the rest of the world. Will the Premier admit that the obsession with fads in the Education ministry is actually harming this generation of Alberta's students?

**The Speaker:** The hon. Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker and to the member for the question. The results that were released today were the 2015 results, and we share the concern that has been highlighted through these scores. That's one of the reasons why there was action taken today, actually – this sounds a little bit like it could have been a caucus question – to make sure that we're moving forward on providing the right supports to ensure that Albertans have the very best support when it comes to moving forward in a concrete way with math and literacy skills. Numeracy and literacy are areas that we're absolutely committed to strengthening as we move forward.

**Mr. Jean:** In math Alberta used to be world class, but over the last decade our scores have been steadily dropping. Our PISA math results show that we have fallen behind British Columbia and Quebec, both of which have rejected the discovery math fad that has so harmed our elementary school students. Standardized tests like PISA allow us to measure what works and what doesn't work, like how we teach math, but this government and its ally the ATA don't like standardized testing. Alberta parents, on the other hand: they recognize the value of testing and want it to continue. Will the

Premier commit that this government will not do away with standardized testing in Alberta? Yes or no.

**Ms Hoffman:** Mr. Speaker, I have to say that I'm getting pretty fed up of the fact-free question-asking in this House. The fact is that we are absolutely committed to making sure that parents, teachers, and students have the best information to be able to assess their growth, their areas for improvement, and move forward with progress. Today some of the changes we announced are reinstating a written portion for the math diploma exam, something that we think is very important and that it was a mistake because of past budget cuts to take that portion out. We think that's a valuable tool. Creating a non-calculator portion for the math grade 9 provincial achievement test – I wish the Official Opposition would stop being so barrel full empty . . .

**The Speaker:** Thank you, hon. Deputy Premier.

**Mr. Jean:** We're thinking about the kids, Mr. Speaker, and that's important, and for some reason the educrads in the Education ministry decided we needed to teach basic math in a new way. The PISA national and international test scores show that the new math experiment was simply a failure, but the ATA today called for the government to stop participating in the PISA tests. The ATA rejects all standardized testing, and the NDP has put them in charge of rewriting Alberta's curriculum. Will the Premier assure Albertans that the ATA won't be allowed to kill standardized testing, which allows Alberta moms and dads to assess our education system here in Alberta, what's best for the kids?

**Ms Hoffman:** I noticed that the Leader of the Official Opposition tripped on the words coming out of his mouth, because he knows they're not true, Mr. Speaker. We're working to create bursary programs to support preservice teachers and help strengthen their knowledge and skills and confidence in teaching math. Investing in education, the funding we had to provide in Budget 2015 and '16, which I believe the members opposite voted against, means that we'll be able to support 1,100 new teachers and protect more than 800 teaching assistants and hire almost 260 more. You want to talk about moving forward in a thoughtful, reasoned approach, hiring staff, and supporting those staff to make sure kids get the best start in life.

**The Speaker:** Thank you.

**An Hon. Member:** Point of order.

**The Speaker:** Point of order.  
Second main question.

### Child Protective Services Review

**Mr. Jean:** For weeks all opposition parties in this House have been uniting and asking questions about improving our child intervention system, following the death of young Serenity in care. I'm thankful that it appears that ministers of this government also want to take action. That's a good thing. When you were asked by the leader of the third party to form an all-party committee, you actually agreed. Today the Wildrose is presenting terms of reference to create that special select committee. To the Premier: will you be directing your caucus to provide unanimous consent to this motion? Yes or no?

**Mr. Mason:** Well, Mr. Speaker, you know, obviously, this was a very, very serious and sad tragedy that's affected all of us here and all of us in the province of Alberta. The government is very serious about doing something about that, and the Premier has made that

clear. We're working very hard to do the work necessary in order to create a committee that represents this House, that can actually find out what we can do better.

**Mr. Jean:** I have a world of respect for the front-line social workers assisting children in care. Many of them have high caseloads and are trying to navigate a very broken system. The system clearly broke down when it came to Serenity. In the 11 months before her death there were no visits from any child intervention workers at all. We can't fix a broken system if we don't know exactly what's wrong. Will the Premier commit to providing full whistle-blower protection status for any and all workers appearing before an all-party committee? Yes or no?

**The Speaker:** The Government House Leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, as I said in the answer to the first part of the hon. member's question – and I thank him very much for it – we're very much interested in resolving these questions to improve the services that we provide and to protect children in care. No child in care should be put in a place where their health or their safety or their very lives are jeopardized, and this government is committed to making sure that we fix this so that doesn't happen.

**Mr. Jean:** We're asking for action, Mr. Speaker, and all we hear is platitudes.

Our failure of children in care spreads further than just the actual child intervention system. We have seen a troubling lack of information and a lack of answers from the office of the Chief Medical Examiner when it comes to young Serenity's death. We have also seen the office of the Child and Youth Advocate not receiving all files while conducting this investigation. Unacceptable. Will the Premier ensure that an all-party committee would be able to compel testimony from all witnesses related to the safety and security of children in care in Alberta? Yes or no?

**The Speaker:** The Government House Leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, the Premier has been clear in this House that because of an ongoing RCMP investigation not all the information was released when it might otherwise have been released. That's a very important thing, that we get to the bottom of this and we not interfere or in any way disrupt this critical police investigation.

With respect to the work of this committee in due course the government will be showing just how this committee will work and how we can get to the bottom of this issue.

**The Speaker:** Thank you, hon. member.

Third main question. The Member for Chestermere-Rocky View.

### Energy Industry Competitiveness

**Mrs. Aheer:** Thank you, Mr. Speaker. Over 74,000 Albertans have lost work since last November under the NDP. Let's be clear. Saskatchewan uses the same price of oil as Alberta does, but their fortunes are on the way up. For the first time ever they're expected to drill the most oil and gas wells in Canada, and now a new report today shows that global energy executives see Saskatchewan as the fourth-best oil and gas jurisdiction to invest in while Alberta has plummeted to 43rd. Why, then, is the NDP determined to destroy our ability to compete?

2:00

**The Speaker:** The Deputy Premier.



**Ms Hoffman:** Thank you very much, Mr. Speaker. We're doing no such thing. I'll reference somebody from the University of Calgary, Jack Mintz, who said that Alberta's new royalty framework will be significantly more attractive for investment. [interjections] I think "more attractive for investment" is absolutely the right direction. Because of our changes in the royalty framework we have 140 new rigs right now, each generating 135 direct and indirect jobs in the province of Alberta. This is the right direction. They want to go backwards.

**The Speaker:** In the mystical quiet I'm having difficulty hearing jingle bells, so keep the tone down, folks.

First supplemental.

**Mrs. Aheer:** Thank you. Well, the Global Petroleum Survey said this, quote: the Alberta government has introduced policies that are confusing, create uncertainty for the oil and gas industry, which can invest elsewhere. End quote. That is just a nice way of saying that a massive new carbon tax, caps on emissions, and suing Alberta power companies may not be the best ideas. If Alberta can't compete with Saskatchewan, Texas, and North Dakota, that means less jobs and money and services here in Alberta. Does the NDP not understand that?

**Ms Hoffman:** Here are some real numbers that are worth taking a moment to reflect on and understand. Our rig count is up 6 per cent in the month of November. That's a sixth consecutive monthly increase, Mr. Speaker. Our oil production surpassed 2015 levels, and in September oil production was up 12 per cent compared to the same time last year. Even with the carbon price Alberta still has a \$7.5 billion tax advantage over Saskatchewan, and Alberta recorded \$38 billion in capital spending in oil and gas. That's five times greater than Saskatchewan. I wish we'd start talking about the facts. This side is. I wish that side would, too.

**Mrs. Aheer:** The facts are that Alberta used to be ranked 13th in the world, but after 19 months of this NDP government we're now ranked at 43rd of 96. None of our competitors in the United States have a carbon tax any time soon, and right now the NDP has committed to a \$50-per-tonne carbon tax. This tax will not lower global emissions. It won't even lower our emissions, but it'll send billions of dollars of investment out of Alberta. Will the Premier even admit to the damage that these policies are creating in our energy sector? Yes or no?

**Ms Hoffman:** The energy sector sure seems to be seeing a lot of progress, Mr. Speaker. They're the ones who asked us to bring in this cap because it helps strengthen their international reputation. Let's reflect on the latest episode of *The Twilight Zone*. Alberta just got two pipelines approved, and the Leader of the Opposition wants us to scrap that plan and those approvals and move backwards. We're not going to do that. We're going to move forward.

**The Speaker:** The leader of the third party.

### Carbon Levy

**Mr. McIver:** Thank you, Mr. Speaker. At \$20 or \$30 per tonne the carbon tax will raise between \$1.1 billion and \$2.6 billion. At \$50 the carbon tax will raise \$4 billion a year. Interestingly, a 4 per cent provincial sales tax would raise \$4 billion annually as well. Clearly, the carbon tax is a PST wolf in sheep's clothing. To the Finance minister: will you admit the carbon tax is a PST in disguise, and if not, at least tell us how high you're willing to go on the carbon tax?

**Mr. Ceci:** You know, what I'll admit to and what I'll always admit to is that the climate leadership plan will drive innovation in this province. It'll cause rebates to go back to Albertans, that are going to be addressing better and better efficiencies in their home, in their autos. What I'll admit to is that we're moving forward. You would have pushed us backwards.

**The Speaker:** First supplemental.

**Mr. McIver:** Thank you, Mr. Speaker. Let's talk about that. There's \$9.6 billion in carbon tax to come in in the next five years. Household and consumer rebates, \$2.3 billion; renewable energy products to replace coal, \$3.4 billion; a new provincial agency, \$645 million; transitioning coal, \$195 million: in other words, \$6.6 billion of the \$9.6 billion is only to undo the damage that the climate change scheme is doing in the first place. To the Finance minister: when two-thirds of the carbon tax is to undo the damage, don't you admit that you're at least two-thirds wrong?

**The Speaker:** Thank you, hon. member.

The Minister of Environment and Parks.

**Ms Phillips:** Thank you, Mr. Speaker. You know, if the third party had their way, we would be spending 10 times that amount on carbon capture and storage. I have heard them say over and over and over again that they would prefer clean-coal technology and so on. Well, we ran those numbers. That's between \$9 billion and \$10 billion for our post-2030 plans. They would prefer that kind of approach. Our approach is around \$10 per tonne of GHG in order to transition our coal-fired electricity into renewables, so that's . . .

**The Speaker:** Thank you, hon. minister.

Second supplemental.

**Mr. McIver:** Thank you. That was quite a spacewalk, Mr. Speaker.

Now let's look at the government-funded services that will be hammered by the carbon tax: municipalities, school boards, hospitals, social service agencies, postsecondaries, correctional services, road maintenance, police services, cultural centres, and the list goes on. To the Premier. You promised that you won't lay off nurses and teachers. What about police officers, social service workers, correctional staff, road maintenance workers, wildlife officers, and Crown prosecutors? Should they be worried about layoffs?

**The Speaker:** The hon. Deputy Premier.

**Ms Hoffman:** Thank you very much, Mr. Speaker and to the member for the question. He may have missed the announcements last week, but our carbon plan, our climate leadership plan, is working. We are moving forward on creating two new pipelines, a major economic driver in this province. We're taking the money that's generated through the price on carbon and reinvesting it in Alberta families. Two-thirds of families get a direct rebate. And we are working to make sure that we acknowledge the reality of climate change, build a stronger, diversified economy. They had 44 years. They didn't get the job done. We've stepped up to the plate, and we're not scared to tackle these issues.

**The Speaker:** Thank you.

The hon. Member for Calgary-Elbow.

### Education, PDD, and Health Program Reviews

**Mr. Clark:** Thank you very much, Mr. Speaker. Now, yesterday I rose in this House to challenge the government on their use of

backbench questions, so today I am going to show Albertans what it looks like when an MLA holds the government to account for their constituents. To the Minister of Education. A constituent asked me why the curriculum survey was so long, technical, and complex and if the questions were designed to elicit the government's desired outcomes. Can you tell the House how many surveys were abandoned partway through and whether this exercise is just cover for curriculum changes that have already been decided?

**The Speaker:** The Minister of Education.

**Mr. Eggen:** Thank you, Mr. Speaker. I think there was a little question at the end there. The curriculum survey was the biggest interaction that Alberta Education has ever engaged in with the Alberta public in the history of this province. We had more than 32,000 respondents, of which 25,000 filled out part A and part B. Part B gives us valuable information that will then come back to us in the spring, and then we'll go back to the public again. It's a very transparent process because we take curriculum development very seriously.

**The Speaker:** First supplemental.

**Mr. Clark:** Thank you, Mr. Speaker. So fully a quarter of people didn't finish the survey.

Another important issue in Calgary-Elbow is the PDD safety standards consultation report, which was released in late October. My constituents want an update on the progress of some of the key recommendations, specifically recommendation 1, for a neutral and independent body external from government to undertake a review of the PDD program. To the Minister of Human Services: has the review started, who is involved, what are the terms of reference, and when will they file their report?

**Mr. Mason:** Point of order.

**The Speaker:** Point of order noted.

**Mr. Sabir:** Thank you, Mr. Speaker, and thank you, Member, for the question. PDD safety of the person with developmental disability: we took it very seriously. That's why we consulted Albertans, and 2,000 Albertans raised their voices, and they felt heard. We will be working on the report as a whole with a view to making this province inclusive and giving opportunities to persons with developmental disabilities to contribute meaningfully to the province and live as independently and as safely as possible.

**Mr. Clark:** Sadly, Mr. Speaker, that is nowhere near an answer.

Yesterday, Mr. Speaker, we saw two more tragic signs of the public health crisis caused by fentanyl and opiate addiction: statistics were released showing 15 deaths from highly toxic carfentanyl, and the heartbreaking story of two parents who likely died of a drug overdose in my constituency of Calgary-Elbow, leaving four children orphaned. To the Minister of Health. You are the NDP. You are supposed to care for people in need. Will you stop parroting talking points written by bureaucrats, do what you know is right, and declare a public health emergency?

**The Speaker:** The Associate Minister of Health.

**Ms Payne:** Thank you, Mr. Speaker and to the member for the question. You know, our hearts really do go out to all of those who have lost a loved one to fentanyl, and we know that the best thing that we can do to support them and their loved ones' memories is to expand access to opioid treatments that work. That is why we're working diligently to expand community-based access to opioid

dependency treatment as well as working with community partners across the province to open supervised consumption services, which we know will make a difference in saving lives.

**The Speaker:** The hon. Member for Edmonton-Meadowlark.

## 2:10 Energy Efficiency Programs

**Mr. Carson:** Thank you, Mr. Speaker. We keep hearing that Albertans will start saving money while reducing their greenhouse gas emissions through energy efficiency programs. My constituents know that we all need to do our fair share to address climate change, but they have many questions about the climate leadership plan. To the Minister of Environment and Parks: when will Albertans start to see energy efficiency programs for their homes?

**The Speaker:** The minister of the environment.

**Ms Phillips:** Well, thank you, Mr. Speaker. Three programs will be delivered in early 2017: direct install, consumer rebates, and business and institutional programs. There will be more programs introduced throughout 2017 based on the advice that we got from our energy efficiency expert panel and as we create the Energy Efficiency Alberta agency. We did have to start from scratch on this because, of course, the previous government left Alberta as the only jurisdiction without energy efficiency in North America. But we're looking forward to putting people to work and saving families money on their bills starting in 2017.

**The Speaker:** First supplemental.

**Mr. Carson:** Thank you, Mr. Speaker. Given that the government plans to help consumers reduce their household energy cost, to the same minister: can you give us any specific details on what opportunities consumers will have through these energy efficiency programs?

**The Speaker:** The hon. minister.

**Ms Phillips:** Well, thank you, Mr. Speaker. Of course, we're moving forward in early 2017 with direct install of free or low-cost products, that we've already announced. We are moving forward with the consumer rebate program, and throughout 2017 we'll have more to say about audits, incentives for small-scale renewables as we set up those programs and deliver them.

You know, a recent study by the state of Michigan showed that every dollar that the state invested in energy efficiency programs led to \$4 in savings for ratepayers, Mr. Speaker, and that's why we're going to do the right thing. We're going to help folks reduce their bills and reduce their emissions while they're doing it.

**The Speaker:** Thank you, hon. members. I would avoid standing up in the future.

Second supplemental.

**Mr. Carson:** Thank you, Mr. Speaker. Given that Albertans are eager to hear more about the job opportunities that will come from the implementation of energy efficiency programs, can you explain the impacts that these programs will have on jobs for Albertans?

**The Speaker:** The hon. minister.

**Ms Phillips:** Thank you, Mr. Speaker. You know, recent studies in B.C., for example, have shown that every million dollars invested in efficiency led to 34 direct full-time jobs. In Ontario every million dollars invested led to 38 direct full-time jobs, and that's why Kevin

Lecht from the international association of heat and frost insulator workers said of our approach that it'll create jobs and diversify our economy. Those are jobs that the Wildrose calls a slush fund. They'd cancel those programs and throw those folks out of work. But we're looking forward to making Alberta more efficient. We're looking forward to putting Albertans to work while we do it. The Wildrose wants us to be stuck in the past. That's not the approach we're taking.

**The Speaker:** The hon. Member for Battle River-Wainwright.

#### NorQuest College

**Mr. Taylor:** Thank you, Mr. Speaker. In March 2013 NorQuest College fired its IT manager when it was suspected that he massively defrauded taxpayers and illegally retained the personal information of his colleagues. NorQuest did not fully disclose this in 2013, and employees found out in the news this fall when Charles Rusnell and Jennie Russell broke the story. Will the Minister of Advanced Education commit to ensuring that privacy breaches like this are immediately disclosed to those affected in the future?

**The Speaker:** The hon. Minister of Service Alberta.

**Ms McLean:** Thank you, Mr. Speaker. As the minister responsible for the legislation I'm happy to answer your questions. It's very important to our government that Albertans have access to the information that's important to them and that there is transparency in the way that this legislation is executed. We are certainly working on improving our processes with all of our partners and ensuring that our best practices are followed by all institutions, all arm's length from the government . . .

**The Speaker:** Thank you, hon. minister.

**Mr. Taylor:** Given that when NorQuest College appeared before the Public Accounts Committee in April 2013, at the height of the investigation into the worker, the college was directly asked if its protections against fraud and IT privacy breaches were adequate but it didn't say a word about what was happening at the time and given that NorQuest College appeared at the Public Accounts Committee again today, is the minister comfortable with the testimony at both meetings given the apparent discrepancy in the facts? [interjections]

**Mr. Schmidt:** I'm so glad that I'm making such good friends on the opposite side, Mr. Speaker. Unfortunately, they're not the kinds of friends that I would bring home to meet my mother.

With respect to the testimony that was given today at Public Accounts, of course, you know, we know that NorQuest College had some issues identified with how they handled their protection of privacy information. They've taken steps since that issue occurred, and I'm convinced . . .

**The Speaker:** Thank you, hon. minister.

**Mr. Taylor:** Sounds like you're defending privacy breaches.

There are new concerns about proper financial management at NorQuest College. Given that the president of NorQuest, who earns over \$400,000 a year, which is well above normal for a vocational school, is accused of taking ridiculous perks like a month of paid sabbatical for every 12 months worked in addition to vacation and all-expense-paid trips to Mexico to take Spanish lessons, all courtesy of the taxpayer, can the minister explain how this could have happened under his watch, por favor? [interjections]

**Mr. Schmidt:** It sounds like it's paternity test day on *The Jerry Springer Show* on that other side.

Mr. Speaker, each institution is governed by a board of governors. It is up to the board of governors to determine the appropriate compensation. We trust them to do their work faithfully while protecting the interests of taxpayers and students.

**The Speaker:** The hon. Member for Calgary-Lougheed.

#### School Fees

**Mr. Rodney:** Thank you, Mr. Speaker. The NDP campaigned hard on removing school fees, a promise which likely influenced a number of parents with school-aged children. Two school years have begun since the minister took office, and still school fees remain. Now, a Calgary *Metro* article, which I am happy to table, indicates that the government won't even look at scrapping school fees until 2018. To the Minister of Education: is the scrapping of school fees another broken NDP promise, or when will parents no longer have to pay school fees?

**The Speaker:** The hon. Minister of Education.

**Mr. Eggen:** Thank you, Mr. Speaker. I appreciate the question from the hon. member. Certainly, it is our full intention to reduce school fees as per our campaign promise, and certainly we have been working to build a thoughtful plan to ensure that we are focusing specifically on instructional fees. These last two budgets it's been a difficult economic circumstance. Our caucus and cabinet chose to reinstate funding for enrolment, which allowed us to hire 1,100 teachers, 800 support staff, and to keep schools functioning at a high level.

**Mr. Rodney:** Given that the *Metro* notes that the minister is considering eliminating school fees for the school year starting in 2018, soon after which Albertans expect the next election, again to the minister: we've known each other a long time, sir. Surely, you of all people would not use the elimination of school fees as a cheap campaign trick again – surely, you would not – to cover up any broken promises from the past, present, or future. Please assure Albertans.

**The Speaker:** The hon. minister.

2:20

**Mr. Eggen:** Well, thank you, Mr. Speaker, and for the question, I guess. I mean, the issue is around making sure that the integrity of our public school system is intact. Certainly, the very first decision we made in K to 12 education was to reverse the third party's decision to not fund for enrolment and to restore the jobs of more than 800 support staff and hire a further 1,100 teachers. We are reducing school fees as part of our campaign promise, and we are going to do that in a timely, thoughtful manner, as the article did suggest in the . . .

**The Speaker:** Thank you, hon. minister.

**Mr. Rodney:** A lot of words. We just want to know if it's a broken promise.

Given that in the same article, Mr. Speaker, the Calgary Association of Parents and School Councils noted that they had reviewed the resource allocation method documents from the Calgary board of education schools and given that CAPSC expressed serious concerns that school fees are not even staying in the schools, again to the minister: can you confirm for us that all school fees do remain in the schools, where they belong? To ensure transparencies for

Alberta parents, please tell us: when will your ministry publish detailed records of the total dollars collected in school fees and where that money is indeed going?

**The Speaker:** Thank you.  
The hon. minister.

**Mr. Eggen:** Thank you, Mr. Speaker. Certainly, I work with the Calgary board of education and all other 60 school boards across the province to ensure that they are demonstrating financial transparency and making proper use of all funds that they do collect and do receive from the province of Alberta. On an ongoing basis but as part of the rationalization, as I said, a thoughtful plan to reduce school fees, taking instructional fees and then other fees that might be for field trips and so forth, we will have a rational approach by which we can in fact reduce school fees over the next couple of years and fulfill a campaign promise.

**The Speaker:** Thank you, hon. minister.

### Health Care System

**Mr. Barnes:** At year end it's a good time to review where our health system stands. On performance it's been more of the same: lagging wait times for hip and knee replacements, cataracts, and scores of other procedures worse than where the NDP found them, worse than most other provinces. On cost control the minister has talked a big game but can't get her budget to obey her will. Albertans suffering on wait lists and paying more into a broken system don't want overcharged, untrue rhetoric about the opposition. They want results. Can the minister deliver?

**Ms Hoffman:** I'm happy to share some more facts, Mr. Speaker. Between 2015 and 2016 we've significantly decreased wait times for specialists to treat a number of different specialties, including a 20 per cent wait time decrease for general surgery, a 21 per cent wait time decrease for internal medicine, a 14 per cent wait time decrease for specialists focusing on ears, noses, and throats. I think these are moves in the right direction. At the same time, we are decreasing the rate of spending in terms of the 6 to 8 per cent we saw on a regular basis by members across the aisle, but we're doing it thoughtfully.

**Mr. Barnes:** As the Supreme Court said, access to a waiting list is not access to health care. So given that, for instance, we now see children's province-wide mental health access worse than with the previous government and looking at the long list of worsening wait times for surgical and medical procedures, it seems that waiting to access rationed health resources is a universal NDP theme. Will the minister uphold her commitment to universal, publicly covered healthcare by ensuring that everyone can access it in a timely fashion?

**Ms Hoffman:** Well, we know what proposals they're bringing forward from the opposite side for queue jumping and for people to get treatments in for-profit, private institutions. Mr. Speaker, that, to me, is not universal access. Universal access is restoring the \$800 million that was cut by the last government on their way out the door. We've restored that funding. Universal access is moving forward. You mentioned mental health. We did. We supported PCHAD growth in beds, and we've seen a dramatic improvement in that area. Instead of waiting 13 days in Calgary last year, it's same-day access today, and instead of eight days in Edmonton, it's either the same day or the next day. That's great improvement.

**Mr. Barnes:** Given the problems with our hospital sector, whether the fact that the cost of a stay is \$2,000 higher than the national average or that the time EMS spends bottlenecked in emergency departments is once again spiking or that more people than ever before are waiting in acute care for placement into continuing care, AHS still continues with weak targets that they hardly ever achieve. Will the minister step in and actually uphold some accountability in this costly, inefficient, and complacent administration?

**Ms Hoffman:** I'm so proud to step up as the first NDP Health minister in the province of Alberta and, arguably, one of the first to actually believe in public health care and the Public Health Act, Mr. Speaker. That's why we move forward in making sure that we're supporting reinvestment where it's necessary, but it's also why we were able to successfully get the doctors to come back to the table, big contract, negotiate a new term of agreement for the next two years moving forward. It will see savings for the province of Alberta upwards of \$500 million in just two years. That's responsible, that's thoughtful, and I won't be afraid to tackle other challenges.

**The Speaker:** The hon. Member for Lacombe-Ponoka.

### Hospital Chaplains in Central Alberta

**Mr. Orr:** Thank you, Mr. Speaker. Chaplains in central Alberta hospitals were valued members of the health care team up until last Thursday. In multiple central Alberta hospitals certified chaplains were funded through contracts that were up for renegotiation. These chaplains were told that they were no longer needed. Central Alberta is now lacking multifaith spiritual care for suffering, dying patients, their grieving families, and nurses and doctors. The government says that they want to protect front-line workers. Do chaplains count as front-line workers? Yes or no?

**Ms Hoffman:** Mr. Speaker, I was trying to figure out whether they were calling for a cut day or a spend day. It's both, and fair enough. We're trying to find ways to be efficient and effective and support local communities. With regard to the very specific case that the hon. member has just raised, I'd be happy to follow up with him. I don't work in the specific hiring of every individual in every hospital, but I'll be happy to follow up on that member's behalf.

**The Speaker:** First supplemental.

**Mr. Orr:** Thank you, Mr. Speaker. Given that physician-assisted dying is being implemented, Albertans should not be losing their spiritual counsellors. Multifaith chaplains help dying patients and those seeking to end a life of pain to resolve their faith questions, find forgiveness, console family members, and prepare for their final journey. Given the significant role chaplains play in end-of-life decisions, they are trusted members of the health care team. Will chaplaincy care be provided in central Alberta when requested in cases of physician-assisted dying?

**The Speaker:** The Associate Minister of Health.

**Ms Payne:** Thank you, Mr. Speaker, and to the member for the question. Certainly, for any Albertan who is contemplating their end-of-life care options, we want to make sure that wherever they are in the province, they have access to a full range of services and supports, be that palliative care or access to medical assistance in dying. Currently that system is run through the care co-ordination service, which includes access and referrals to doctors as well as other supports.

**Mr. Orr:** Mr. Speaker, not only do chaplains help patients; they are also an important resource for staff. Given that the Public Health Agency of Canada recognizes the need to care for the caregivers because without it their effectiveness and ultimately their health will suffer and given that care providers have to deal with trauma and high-stress situations and also that the minister says that linen staff are a critical part of patient care, then surely chaplains are critical as well. Why are you cutting front-line jobs that will reduce the quality of care provided to central Alberta hospitals?

**The Speaker:** The Associate Minister of Health.

**Ms Payne:** Thank you, Mr. Speaker, and to the member for the question. Supporting all of our front-line health workers with their mental health and other supports is a critical issue for our government, which is why we set up the valuing mental health panel and are working forward on those recommendations. We know that people throughout the health care system require supports because they often deal with families and with patients through very difficult times. Making sure that those front-line workers are supported is very important to us.

**The Speaker:** The hon. Member for Calgary-Greenway.

#### Capital Infrastructure Planning and Funding

**Mr. Gill:** Thank you, Mr. Speaker. Last week this government promised \$258 million for the Calgary green line LRT. Given that Calgary and the feds have each committed \$1.5 billion in funding and given that previous Alberta governments have consistently contributed its one-third share to major municipal infrastructure projects and given that delaying full funding until 2019 would be a blatantly self-serving partisan political move, to the minister: will this government give money to Calgary now to start the green line LRT to support the economy and jobs instead of in an election year, in 2019?

**The Speaker:** The Minister of Transportation.

**Mr. Mason:** Thank you very much, Mr. Speaker, and thank you to the hon. member for his question. I was very pleased on Saturday to stand with the federal minister of infrastructure and the mayor of Calgary and many municipal leaders from around southern Alberta to talk about the great contribution that both the provincial government and the federal government are giving towards transit in this province, including in Airdrie, in Banff-Cochrane, in St. Albert, all around the province, and a significant contribution towards the green line in Calgary. We're certainly looking to . . .

2:30

**The Speaker:** Thank you, hon. minister.

**Mr. Gill:** It would be nice to have it now, but anyway.

While in opposition the member of the current government demanded increased attention to deferred maintenance for Alberta's infrastructure. However, very little action has been taken. Given that jobs are needed and construction costs in Alberta are also low now and given that this government has failed to produce a detailed infrastructure sunshine list, to the minister: will this government disclose to Albertans when it will start aggressively working on deferred maintenance, or was it just one of those feel-good, make-good speeches?

**Mr. Mason:** Well, Mr. Speaker, we always try to feel good and to do good.

I want to tell the hon. member, in case he hasn't read the budget, that the amount of money in our capital plan and in this budget for capital maintenance has been increased dramatically. It's hundreds of millions of dollars, Mr. Speaker, and I'm surprised the hon. member doesn't know that.

**The Speaker:** Second supplemental.

**Mr. Gill:** Thank you, Mr. Speaker. This budget says that they're spending more money with poor results, but anyway.

Given that the David Dodge Alberta infrastructure investment report suggested \$7 billion in capital investment and given that on page 44 the report stated that the highest return on investment would come from public-use infrastructure such as highways and given that Albertans have been left wondering why there were no highway improvements announced in this set of transportation funding, to the Premier: what other expert reports and recommendations will this government ignore to pursue its incoherent plan, that shows no evidence of working together?

**The Speaker:** Thank you, hon. member.

The hon. Minister of Transportation.

**Mr. Mason:** Thank you. I'm surprised the hon. member didn't ask the question to the Minister of Education because he clearly needs to go back to school, Mr. Speaker. [interjections] You know, this is a very important . . .

**The Speaker:** Order, please.

Proceed.

**Mr. Mason:** Thank you very much, Mr. Speaker. You know, very clearly, it's an important question from the hon. member, but I don't think he's really got the picture. We are making very substantial contributions towards transportation in all areas.

**The Speaker:** Thank you, hon. minister.

The hon. Member for Calgary-Bow.

#### National Day of Remembrance and Action on Violence against Women

**Drever:** Thank you, Mr. Speaker. Today is December 6, the National Day of Remembrance and Action on Violence against Women. This day is to remember the massacre of the 14 young women at l'école Polytechnique de Montréal who died because of their gender. To the Status of Women: what is your ministry doing to remember these women?

**The Speaker:** The hon. Minister of Status of Women.

**Ms McLean:** Thank you, Mr. Speaker and to the hon. member for her question. At noon today the Status of Woman ministry held a vigil in the lobby of the Federal building to remember the victims of this tragedy in Canadian history. I thank those in the public, my cabinet and caucus colleagues, as well as my colleagues from across the aisle who came to commemorate the 14 female students, who lost their lives far too early, and to raise awareness about the distressing numbers of violence against women and girls in this province, because it's on all of us to end violence against women.

**The Speaker:** First supplemental.

**Drever:** Thank you, Mr. Speaker. I'm wearing my 16 Days, 16 Ways orange button. Again to the Minister of Status of Women: how does this campaign fit with today's event?

**Ms McLean:** Thank you, Mr. Speaker, for the insightful question. Today's vigil comes near the end of our 16 Days, 16 Ways campaign against gender-based violence. The 16 Days campaign is to raise awareness of all forms of violence. People often think of violence as only physical. This was definitely the case for the event that stemmed today's vigil. However, violence can take many forms and manifest in many ways. We are working to end all forms of violence. This includes verbal harassment, emotional abuse, and understanding that so-called locker-room talk is not tolerated. Please join me by sharing what you can do to end violence against women using the hash tag 16 days.

**The Speaker:** Thank you, hon. minister.  
Second supplemental.

**Drever:** Thank you, Mr. Speaker. I understand that the 16-day campaign is to raise awareness on how to prevent violence; however, given that Alberta has the highest rate of violence against women in the country, double the national average, to the Minister of Status of Women: what are some concrete steps Albertans can take to end violence against women and girls?

**The Speaker:** The hon minister.

**Ms McLean:** Thank you, Mr. Speaker and to the member for the important question. Every Albertan deserves to live free of violence and without threat of the same. We know the facts, that women are 11 times more likely than men to be the target of violence. Some things that we can all do are to shut down comments about bragging and glorifying any form of violence or comments that shame or insult women's bodies or successes. Words matter in this arena. For more actions I encourage everyone to follow @Alberta\_Women. We are tweeting an action a day for our campaign. I believe in respect for all Albertans, and this includes the women and girls of this province.

**The Speaker:** Thank you, hon. minister.

### Calgary Cancer Centre

**Mr. Panda:** Mr. Speaker, tenders issued for the Calgary cancer centre in 2014 identified the project as a design/build/finance/maintain, or P3, model. Now the NDP government is issuing tenders that are just design/build. Calgarians and Albertans have been waiting a long time for the new cancer centre. Can the Minister of Health explain why the Calgary cancer centre will not be like the Calgary courts project and include the long-term, cost-saving maintenance component to the contract?

**The Speaker:** The hon. minister.

**Ms Hoffman:** Thank you very much, Mr. Speaker and to the member for the question. If it is more detailed around infrastructure, I may call on my colleague to support as well. I want everyone to know that we are moving forward with investment in the Calgary cancer centre, something that was long overdue. It is the largest and most advanced centre in the country. We are building the infrastructure that Calgary needs, creating good jobs and expanding access to this important public health care. I look forward to being able to deliver on this commitment, that is so important and long overdue.

**Mr. Panda:** Thank you, Minister. Given that the NDP government's five-year capital plan calls for \$1.2 billion over five years for the nine-year build-out of the Calgary cancer centre and given Alberta Infrastructure's reputation for cost overruns and delivery delays on hospitals, as was the case with the south Calgary campus,

what guarantees will the minister give that the Calgary cancer centre will open on time and on budget in 2024, 18 years after Ralph Klein promised it to Calgary?

**The Speaker:** The Minister of Infrastructure.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, you know, the hon. member is trying to create the impression that the 18-year delay has something to do with this government. When this government took office a year and a half ago, it immediately moved to clarify where this cancer centre would be built and to move to get it under construction. Any suggestion that our government has held up that cancer centre is not only wrong, but it's disingenuous.

**Mr. Panda:** Mr. Speaker, cancer patients need treatment. They don't care who is in government; otherwise, they will cure the cancer here.

Given the NDP has chosen to do maintenance on this facility in a piecemeal fashion, similar to bringing laundry and Edmonton lab services in-house and unionized, and given that government's job is to provide services in a cost-effective manner, in a timely basis, what is this NDP government's blind ideology all about, forcing taxpayers to pay more and more for everything?

**Mr. Mason:** Mr. Speaker, I simply don't understand what the basis of the hon. member's question is. We're proceeding to build infrastructure at a time when the economy is on a downturn. That means lower costs for us. It means that taxpayers' money goes farther. We can get more infrastructure built for the same amount of money. It makes far more sense than the approach of the previous government, which was to compete with the private sector at peak times and pay a premium for public infrastructure. We're not going to do that. We're smarter than that.

**The Speaker:** Calgary-West.

### 2:40 Registry Service Electronic Notifications

**Mr. Ellis:** Great. Thank you, Mr. Speaker. Last spring the government announced that Albertans would no longer receive notices in the mail when their vehicle registration was expiring. At that time, I urged the Minister of Service Alberta to have more of a transition program for e-reminders rather than a full stop on them. We are now eight months into the transition and the ministry will have collected statistics on the new program, so to the minister: how many Albertans have signed up for the e-reminders, and what percentage of owners missed the deadline?

**The Speaker:** Madam Minister.

**Ms McLean:** Thank you, Mr. Speaker, and thank you to the member for the question. I'm happy to provide an update. Our new system is certainly working. We have a very large number of the population signed up. It's difficult to say what exactly the percentage of the population is at any given time given the fact that we've got new licences coming on, but I can tell you that we know it's worked because we've had an increase of 62 per cent of registrations renewed over the same time period as the previous year. That's 1.4 million driver's licence and vehicle registrations that have been renewed, increasing . . .

**The Speaker:** Thank you, hon. minister.  
First supplemental.

**Mr. Ellis:** Thank you, Mr. Speaker. Given that chances are that tens of thousands of Albertans have not signed up for the electronic

reminders and this places them at risk for unintentionally letting their registration expire and given that Albertans who would never think of breaking the law are inadvertently doing so and they face fines in excess of \$300 because they did not know about the change in policy, again to the minister: what are your plans to improve the communications about the online reminders?

**Ms McLean:** Mr. Speaker, we launched a very progressive campaign that was digital, including sending out automated calls to more than 2.2 million holders of Alberta motor vehicle documents. This cost very, very little for us to do. We're rolling out a plan to reach all Albertans, and we've been successful. As I've said, we've had an increase in the number of registrations compared to the same time period last year, so clearly our campaign to notify Albertans has worked.

**The Speaker:** Thank you, hon. minister.  
Second supplemental.

**Mr. Ellis:** Thank you, Mr. Speaker. Given that your ministry chose to provide paper reminders to Albertans over 70 for this year only and given that this transition program ends in April and given that in our constituency offices we are hearing from seniors complaining about the failure of receiving notices, which they have relied on for decades, to the same minister: with April quickly approaching, which means the end of all paper notices, will you consider re-establishing notifications to all seniors for at least one more year?

Thank you.

**The Speaker:** The hon. minister.

**Ms McLean:** Thank you, Mr. Speaker. I will continue to take every opportunity possible to notify Albertans about this change. However, the renewal reminders have gone online. We are in a tough economic time, so we found efficiencies, as the opposition has asked us to do, and this is one of those efficiencies. There are still many avenues open to Albertans to find out what date their licences or registrations come up for renewal, including looking at the sticker on the back of their plate, marking it on a calendar, or signing up through an online renewal reminder. Many of our partners, including the AMA, have . . .

**The Speaker:** Thank you, hon. minister.

#### Point of Order Stopping the Clock

**Mr. Mason:** Mr. Speaker it's the practice in this House that during question period when a member stops because of disorder in the Chamber, because he or she can't be heard, the clock is stopped. I waited at this time for the Chamber to settle down so that my answer could be heard, and I would ask if the clock was indeed stopped or not.

**The Speaker:** Let me consult with the table.  
Hon. members, I'm advised that the clock was stopped.

#### Tabling Returns and Reports

**The Speaker:** Hon. members, could we just hold on with the departure? We're getting confused with the members who are leaving and the members who have something to table.

The Minister of Justice.

**Ms Ganley:** Thank you very much, Mr. Speaker. I rise today to table five copies of four studies regarding the needs of self-

represented litigants in the justice system. This is in response to the debate on Motion for a Return 25. The reports are titled Self-represented Litigants in Family Law Disputes: Views of Alberta Lawyers; Opening the Dialogue: the SRL Phenomenon; Addressing the Needs of Self-represented Litigants in the Canadian Justice System; and The National Self-represented Litigant Project: Identifying and Meeting the Needs of Self-represented Litigants: Final Report.

Thank you.

**Mrs. Aheer:** I would like to table an article that I read from yesterday in the House: Enmax Terminates 'Unprofitable' Coal-fired Electricity Contract. I have the five copies.

Thank you.

**The Speaker:** You have a tabling, Member for Calgary-Lougheed?

**Mr. Rodney:** Yes. I have two. Yesterday I promised to hand this in. It's from Leah Auramenko, a registered veterinary technologist and ABVMA member, and simply states at the end:

It is my opinion and [that] of the ABVMA that Bill 207 and the resulting proposed amendment to the VPA represent an infringement on the veterinary profession's privilege of self-regulation.

It goes on, but it's tablings, so I won't make a speech.

This refers to my question. I promised I would table it. Now, it has the name of the minister. Shall I just say, "Minister," Mr. Speaker, instead of the name of the minister, or shall I read the headline? It has the name of the minister.

**The Speaker:** I would prefer that you'd simply table it.

**Mr. Rodney:** That's why I'm asking the question. It indeed is from *Metro* Calgary. I'll replace the name: [Minister of Education] Sets School Fees on Back Burner until 2018.

Thank you.

**The Speaker:** The hon. Member for Fort Saskatchewan-Vegreville.

**Mrs. Littlewood:** Thank you, Mr. Speaker. I rise to table five copies of an article that was from 2012 from *Field & Stream* titled Save Your Brain! Helmet Makes a Difference in ATV Crash. I was speaking in relation to Bill 36, and I would table them now.

Thank you.

#### Tablings to the Clerk

**The Clerk:** I wish to advise the Assembly that the following document was deposited with the office of the Clerk: on behalf of the hon. Minister Phillips, Minister of Environment and Parks and minister responsible for the climate change office, pursuant to the Environmental Protection and Enhancement Act the environmental protection security fund annual report 2015-16.

**The Speaker:** Hon. members, I understand we have three points of order, I believe.

The Opposition House Leader.

#### Point of Order Language Creating Disorder

**Mr. Cooper:** Well, thank you, Mr. Speaker. I rise today under 23(h), (i), and (j), language likely to create disorder, unparliamentary language, a whole smattering of offences that certainly were perpetrated by the Minister of Health when during question period, at approximately 1:53, she used – without the benefit of the Blues, it is something very close to this – with respect to speaking about

the Leader of the Official Opposition: he is stumbling over the words coming out of his mouth because he knows the words coming out of his mouth are not true.

2:50

Mr. Speaker, there are a very significant number of rulings around making an accusation that a member is lying, around using the words “truth” and “true.” I’m sure that you can find a significant number of references where, by making an allegation that the Leader of the Official Opposition is not telling the truth and by saying the words “not true,” it clearly is likely to create disorder, just as it did today. It is unbecoming of a minister of the Crown to imply that a member of the opposition would be lying in the Assembly. That’s exactly what took place today at 1:53, and a very simple way of dealing with this issue along with many other references is to have the member apologize and withdraw.

**The Speaker:** The Government House Leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. On behalf of the Minister of Health I will apologize to the House and to the hon. Leader of the Official Opposition and withdraw those comments.

**The Speaker:** Thank you, hon. member.

Government House Leader, you too had a point of order.

### Point of Order

#### Supplementary Questions

**Mr. Mason:** Yes, I did, Mr. Speaker. It was during the questions being asked today by the hon. Member for Calgary-Elbow. During that question the Member for Calgary-Elbow, after claiming that he was going to demonstrate how to hold the government accountable in question period, proceeded to ask a question, then followed it by another supplementary question on an entirely different subject, and then the second supplemental was on a third subject.

Now, the authorities on this are a little bit convoluted and contradictory, but I am going to make the case. If you look at *Beauchesne’s Parliamentary Rules & Forms*, on page 122 under 414 – wait a minute. Where are we now? Here we are. Sorry. There are so many marks in my book now that it’s challenging. It says:

Although there may be no debate on an answer, further questions, as may be necessary for the elucidation of the answers that have been given, within due limits, may be addressed to a Minister. The extent to which supplementary questions may be asked is in the discretion of the Speaker.

Now, I was also looking in *House of Commons Procedure and Practice*, second edition, 2009, at page 506. It says here:

Members may seek to clarify the answer to a question or solicit further information through the use of supplementary questions. A supplementary question is posed immediately following a response to an initial question. In conformity with parliamentary tradition, the Speaker retains the authority to determine when supplementary questions may be permitted. The same guidelines which apply to initial questions apply to supplementary questions. They are to be constructed as “a follow-up device flowing from the response and ought to be a precise question put directly and immediately to the Minister, without any further statement.”

Now, Mr. Speaker, here’s where it gets a little bit dicey. It says:

In the past, Speakers have used their discretion to insist that a supplementary question be on the same subject and as a general rule be asked of the same Minister. However, at the beginning of the Thirty-Sixth Parliament in 1997, Speaker Parent allowed the practice to be modified by not insisting that an additional question be, strictly speaking, supplementary to the main question. He indicated that he would find it acceptable for a party to split a round of questioning between two Members, with each

one asking a different question to a different Minister. This practice remains in effect today.

It goes on, though, and says:

As a supplementary question is meant to flow from or be based upon the information given to the House in the response of the Minister or Parliamentary Secretary to the initial or preceding question . . .

In this particular case that did not happen because they were on completely different issues.

. . . the Speaker has indicated that supplementary questions should not be permitted when a Minister or Parliamentary Secretary, in responding to the initial question, informs the House that the question will be taken under advisement.

**The Speaker:** Hon. minister, what page was that?

**Mr. Mason:** I’m sorry; that is pages 506 and 507.

Now, Mr. Speaker, what the two authorities agree on is that this is a question to be at the discretion of the Speaker, and a precedent set in the federal Parliament is not necessarily binding for us here.

I refer, then, to a previous ruling by the Speaker made on May 12, 2004. The Speaker at that time said:

Hon. members, I feel that I must make a clarification. *Beauchesne* 409, dealing with questions in question period, says that in order for a question to be in order, “It must be a question, not an expression of an opinion, representation, argumentation, nor debate.”

Now, there’s also a tradition we follow here that if an hon. member is recognized, they raise a first question and then they’re allowed two supplementals. It has always been understood that supplementals must have something to do with the first question. I’m sorry; I just cannot find the connection between crop insurance and automobile insurance.

Mr. Speaker, I would submit that it is actually the practice and the precedent in this House, as opposed to a recent tradition in the House of Commons, that supplemental questions must be related to the answer received to the primary question in the first place. That is how the Speaker ruled in this matter in this Chamber, and that is, in my experience, always the practice that we have attempted to follow in this House. So I’d ask you, then, to rule on the point of order.

Thank you.

**The Speaker:** The Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Mr. Speaker. I appreciate the opportunity to respond to what may be a historic point of order, wherein the Government House Leader seems to have made my argument for me. I appreciate it very much when he refers to his own arguments as convoluted and contradictory. I will not pass judgment as to whether or not that is, in fact, the case here.

But I will refer to *House of Commons Procedure and Practice*, second edition, 2009, page 501, under Principles and Guidelines for Oral Questions. I just want to speak primarily about the principle of what question period is for. We raised this yesterday, and I find it somewhat ironic that we are being pressed again on it today, being, really, the main tool that the opposition has to hold the government to account. This text says:

- While there may be other purposes and ambitions involved in Question Period, its primary purpose must be the seeking of information from the government and calling the government to account for its actions.

Very clearly, I satisfied that. Most, I think, relevant, Mr. Speaker, to my questions was:

- Members should be given the greatest possible freedom in the putting of questions that is consistent with the other principles.



Now, the hon. Government House Leader has made exactly the point that I was going to bring up from page 507 of the same text, being Speaker Parent's ruling in 1997 that "allowed the practice . . . by not insisting that an additional question be, strictly speaking, supplementary to the main question." If we go back to page 502, the questions must be questions, in fact. They must seek information, be brief, be within the administrative responsibility of government.

But specifically to the question, Mr. Speaker, of the connection of these questions to one another, I was asking questions that are of deep and pressing concern to my constituents in Calgary-Elbow, questions that were within the purview of the government and are, very clearly, important issues to the people of my constituency, seeking new information and pressing the government to action within areas of their competence.

While I have the floor, Mr. Speaker, the practice this stems from is the issue I raised yesterday around the quote, unquote, puffball questions. That is how things have evolved in this Assembly over the last number of decades. We have a new government, and I would hope that this new government would understand the importance of allowing the opposition to do its job, allowing their own private members to do their jobs on behalf of their constituents, which allows them to hold the government to account, not simply read government press releases back to *Hansard*.

With that, Mr. Speaker, I would ask that you rule that this is not a point of order and that opposition members be given the largest possible leeway in standing up for our constituents. Thank you.

3:00

**The Speaker:** The Opposition House Leader.

**Mr. Cooper:** Thank you, Mr. Speaker. Perhaps I was distracted by my colleague the Member for Rimbey-Rocky Mountain House-Sundre because at the beginning of the point of order I missed the citation in the Standing Orders that would lead us to believe that this was a point of order to start with. I was a little bit confused that the Government House Leader would choose to do that.

Perhaps what I'm about to say I will regret a little in the future because my hon. colleague the independent Member for Calgary-Elbow – I often like to refer to that he is the independent Member for Calgary-Elbow, but sometimes to my chagrin it is a fact of the matter that he is the leader of the Alberta Party. As such, we traditionally in this Assembly have given a certain amount of latitude to leaders of parties with respect to the questions that they ask. So I think it's more than reasonable that that latitude be given to the independent Member for Calgary-Elbow, the leader of the Alberta Party, and that he receive the same as Calgary-Mountain View and Calgary-Hays and, in fact, the Leader of the Official Opposition.

As much as that pains me to say, I think he ought to be. I must admit that it does feel a little bit like a revenge point of order on behalf of the Government House Leader from yesterday.

**The Speaker:** Hon. Opposition House Leader, I'm sorry. I missed your point. Are you saying that you're in favour? It was unclear to me what you said, hon. member.

**Mr. Nixon:** There's no standing order, Mr. Speaker.

**The Speaker:** The Government House Leader.

**Mr. Mason:** Mr. Speaker, you don't need a standing order to make a point of order in this house. If you cite authorities, that's fine. The point that I really wanted to deal with since I was present . . .

**The Speaker:** You know, I'd like to move on. We have a long day. I think that the case is – with all due respect to the Member for

Calgary-Elbow I didn't hear you cite the case, the precedent in this particular House in your argument. You certainly did with respect to the federal government.

As I understand it from an earlier Speaker in this House, and what I've understood in terms of the connection, the line, if you will, between the main question and the two supplementaries has long been a standing practice here. When I heard your question earlier in the day, I didn't see an order being – well, I soon saw an order being raised. But I was grasping to find – I think crop insurance was cited in the standing order. That was not the substance. There were two unrelated topics that you addressed in your question, so in this particular situation and, again, its context, I would submit that there is no point of order and would like to move to the next point of order if I could.

I think the hon. Member for Calgary-Lougheed.

### Point of Order Insulting Language

**Mr. Rodney:** Yes. Thank you, Mr. Speaker. I rise today with respect to Standing Order, for the sake of the table and all members, 23(h), which reads,

a Member will be called to order by the Speaker if, in the Speaker's opinion, that Member . . . makes allegations against another Member,

and (j), which reads,

uses abusive or insulting language of a nature likely to create disorder,

and (l), which reads,

introduces any matter in debate that offends the practices and precedents of the Assembly.

Mr. Speaker, I would leave it up to you. You could have one or two or all three if you so choose.

Thirty-five minutes ago, sir, at approximately 2:30 p.m. the hon. Government House Leader took a personal swipe at the intelligence of the hon. Member for Calgary-Greenway, who, by the way, has earned a degree in agriculture, is a member of the Appraisal Institute of Canada, PGCV from UBC, and also has successful careers in real estate, oil and gas, AISH, and IES boards. I think it's a prima facie example, and I have a feeling the Government House Leader may simply want to stand, apologize, and withdraw his remarks. Please and thanks.

**The Speaker:** The Government House Leader.

**Mr. Mason:** Thank you very much, Mr. Speaker. Well, I want to clarify, first of all, that I did not question the intelligence in any way of the hon. member. I said that he needed to go back to school, and because of the disorder in the Chamber, I was not able to finish my response to the question.

The hon. member asked me why there were no roadway or highway projects included in the announcement on Saturday, which we made with various municipal and federal officials. Mr. Speaker, the announcement was to do with the final and third call for GreenTRIP applications. GreenTRIP is a program that was created by the previous government to fund transit. So I was quite taken aback that the hon. member would ask me why there were no road projects in a transit program announcement, and hence my dismay and suggestion that he needed to go back to school. If that's the kind of question that we're getting – why didn't you fund roads from a transit program? – then I think there's something lacking in the question.

However, if hon. members opposite felt that that personalized the question too much – and they do – that was not my intention, Mr. Speaker, and I will apologize for that.

**The Speaker:** Thank you.

### Motions under Standing Order 42

**The Speaker:** Hon. members, under Standing Order 42 I remind you that only one member is allowed to speak, and that is the mover of the motion.

Speaking to this matter, the Official Opposition House Leader.

#### Select Special Child Intervention Review Committee Appointment

Mr. Cooper:

Be it resolved that the Legislative Assembly:

1. Appoint a select special child intervention review committee to review the safety and security of children in government care by examining Alberta's child intervention system and related systems, including but not limited to the Department of Human Services and the Department of Indigenous Relations, and the committee will further review the recommendations for the child intervention system made over the past five years and may for the purpose of systemic improvement inquire into specific cases;
2. The committee shall be chaired by the Speaker, Deputy Speaker, or Deputy Chair of Committees and consist of seven members from the government members' caucus, three members from the Official Opposition, two members from the third party, the Member for Calgary-Elbow, and the Member for Calgary-Mountain View, with the names of all members to be submitted to the Clerk no later than December 15, 2016;
3. In carrying out its duties, the committee may travel throughout Alberta and undertake a process of consultation with all interested Albertans;
4. In carrying out its duties, the committee may solicit written submissions from experts in the field and may compel the appearance of witnesses with specific and relevant knowledge on matters being investigated;
5. The committee is deemed to continue beyond prorogation and may meet during a period when the Assembly is adjourned or prorogued;
6. Reasonable disbursements by the committee for advertising, staff assistance, equipment and supplies, rent, travel, and other expenditures necessary for the effective conduct of its responsibilities shall be paid, subject to the approval of the chair;
7. In carrying out its responsibilities, the committee may, with the concurrence of the head of the department, utilize the services of the public service employed in that department or the staff employed by the Legislative Assembly Office and the officers of the Legislature;
8. The committee must ensure that any and all front-line workers and managers in children services and any delegates or contractors for children services that wish to speak to the all-party committee are given full whistle-blower protections;
9. The committee must submit its report within one year after commencing its review;
10. When its work has been completed, the committee must report to the Assembly if it is sitting, or if the Assembly is adjourned, the committee may release its report by depositing a copy with the Clerk and forwarding a copy to each member of the Assembly.

**Mr. Cooper:** Thank you, Mr. Speaker. It's my pleasure to rise and speak to Standing Order 42:

A motion may, in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under Standing Order 39.

Mr. Speaker, during Routine and before question period I gave notice of a motion. I did not move that motion, but I hoped that unanimous consent would be granted so that I may be able to. In the name of time I won't read back into the record all of the 10 points of the motion. I would only just like to take a moment to discuss the urgency of why today myself in conjunction with members of the Official Opposition chose that it was important enough to move this Standing Order 42, that the Assembly debate this issue.

Mr. Speaker, you know that over a number of weeks, north of four weeks now, the Official Opposition in conjunction with others has been shining light on this very, very important issue of the death of children in care and, in particular, a case that we've all become very familiar with. The minister responded to the Member for Calgary-Hays when he asked a question about a committee that would look into reviewing this very important challenge that we have in our province. He asked if an all-party committee would be struck, and the minister had responded that it would be. But one of the challenges is that the minister, while he's committed to this committee, has provided little detail as to what the committee will be made up of. He has provided no detail to members of the Assembly when the committee will begin its work.

**3:10**

There is little that we do that is more important than this, Mr. Speaker, and this is a matter of significant urgency. You know that the business of this Assembly could be completed at any moment, really. When the government decides that the business of the House has concluded, this House will rise, and in order for a committee such as this to be struck, the best way for that to happen is for the House to be in session and for a motion to be made, which is exactly why I have done that today. There is a significant amount of urgency that it is dealt with today, for it is unknown if the House will be in session tomorrow. It is possible that the government could choose to rise today. We already are past the allotted amount of days inside the sessional calendar, and while one could assume that the government would like to have some additional pieces of legislation passed, it is certainly at the Premier's discretion when the House will rise. As such, dealing with this motion today will ensure that it will be done prior to the rising of the House.

Mr. Speaker, this is an urgent and pressing matter because it needs to be done in public. The makeup of this committee is very important. The information that is shared about how this committee will be formed and the terms of reference ought to be done in public. It's why I took some thought about the makeup of the committee, including seven government members, three members from the Official Opposition, two members from the third party, and one of each of the independent members. That would make for a total of 14 members.

Mr. Speaker, it's imperative that this issue be dealt with with the children at the fore, not the politics of this issue, but the children at the fore. That's why I've proposed a balanced committee being chaired by yourself, the Deputy Speaker, or the Deputy Chair of Committees, who certainly are amongst the most impartial in this House. I think it's important that we focus solely on solving the problems and not the politics of it, which is why this needs to be done in public and needs to be done today.

There are many details about the case that we have heard that I shall not debate today, but this is a matter of urgency. The Child and Youth Advocate did not receive all of the important information

in the Serenity case. We need to get to the bottom of these things as quickly as possible.

Mr. Speaker, the Official Opposition called and the government granted an emergency debate on November 21. It has been four weeks from then. We have received very little information from the Minister of Human Services about what actual changes have taken place. There's been a commitment to this committee, yet we continue to wait for it. Today is the day to sort this out. Today is the day for the government to act.

This matter is of significant urgency, and I would ask all members of this Assembly to provide unanimous consent so we can debate the finer details of the motion. I recognize that it may not be perfect and am willing to work with the government to find a compromise so that we can move forward on this issue today.

**The Speaker:** Hon. members, under Standing Order 42 I would remind you that only one member is allowed to speak, having provided the oral notice earlier. Standing Order 42 states that a motion may, in case of urgent and pressing necessity previously explained by the mover, be made by unanimous consent of the Assembly without notice having been given under Standing Order 39.

So, hon. members, I now ask whether the Assembly grants unanimous consent to allow the debate to proceed.

[Unanimous consent denied]

## Orders of the Day

### Government Bills and Orders Committee of the Whole

[Ms Jabbour in the chair]

**The Chair:** Hon. members, I'd like to call the Committee of the Whole to order.

#### Bill 36

#### An Act to Enhance Off-highway Vehicle Safety

**The Chair:** Are there any questions, comments, or amendments with respect to this bill?

**Mr. Mason:** I understand that the hon. Member for Calgary-Mountain View may have an amendment or wish to speak to that, and I am just basically covering till he gets in his seat, Madam Chair.

**Dr. Swann:** It's a pleasure to rise on this important Bill 36 and offer to strengthen it in terms of public safety. I have the amendment here, and we'll proceed once it's distributed or at your request, Madam Chair.

**The Chair:** This will be known as amendment A2.  
Go ahead, hon. member.

**Dr. Swann:** Thank you, Madam Chair. I move that Bill 36, An Act to Enhance Off-highway Vehicle Safety, be amended at two levels. Section 3 is amended in the proposed section 128.1(2) by adding: "and has received safety training in accordance with the regulations" after the section that says, "unless the person is properly wearing a safety helmet." Section 4 is amended in the proposed section 129 by adding the following after clause (f): "(g) respecting standards for safety training, including the proper use of helmets, to be completed prior to a person driving, operating, riding in or on or being towed by an off-highway vehicle."

Madam Chair, this is an important move forward, this whole bill, towards safety, especially for children but for all riders of ATVs. I'm particularly focused on those under the age of 16 and will remind this House that across Canada we're almost the only province that allows 14-year-olds to drive ATVs independently. Everywhere else it's 16. Virtually everywhere else. That's a concern to me, so I had hoped today to also offer an amendment to raise the age of appropriate driving of an ATV, but it's been ruled out of order because this is a helmet bill. So I'll encourage the minister to examine the whole age question at another time and hope that at some other point in the next year we could revisit the age restrictions and ensure that we try and reduce the carnage with children.

3:20

To bring out the latest data from the Alberta Centre for Injury Control & Research, there were 1,053 emergency room visits in the last two years from ATVs, a 9 per cent increase in the off-highway vehicle emergency department visits; 84 hospital admissions per year in the last two years; and 33 of the ATV deaths in the last 10 years – that is about three per year – were children under the age of 16. About three per year, then, of our children under the age of 16 died with ATVs. The rest of the country has said that you should be 16 or older to drive an ATV. We're still accepting 14. I leave that under advisement since that's not the substance of our amendment here.

What I'm passionate about is that, at the very least, anyone who drives an ATV should have a proficiency test, should be trained in the mechanical and the physical aspects of managing safely, understand some of the forces and the speeds that they'll be going at, understand what happens on irregular terrain, understand how to deal with a rollover, understand how to deal with someone else who's involved with some kind of an ATV incident. In other words, every motorized vehicle that we have authorized in Alberta has a training program associated with it, a mandatory training program and licensing for things like motorbikes and cars, at least. We don't necessarily have a licensing requirement for young people who are driving these vehicles.

So I think there needs to be some further work on this bill, but at the present time this amendment is simply requiring all new drivers or any drivers under the age of 16 to take a proficiency training examination. Sorry. It's not under the age of 16; it's any driver to have given some evidence that they have taken a proper safety course before driving this vehicle.

I'll open it up for discussion, Madam Chair, and welcome the debate.

**The Chair:** The hon. Minister of Transportation.

**Mr. Mason:** Well, thank you very much, Madam Chair, and I want to thank the hon. Member for Calgary-Mountain View for his interest and advocacy in this matter, that goes back a number of years. I want to commend him for that. Indeed, his advocacy is one of the reasons why this particular bill is now ready to come forward.

Madam Chair, the hon. member has made a couple of very good points. First of all, with respect to age: in Alberta individuals 14 years and older are allowed to operate an off-highway vehicle unsupervised on public land, but supervision is required for individuals less than the age of 14. This is, I think, an interesting question that has been put. I guess that my view of this particular amendment, like the age issue, which was not in order, is that there is merit to considering these matters, but these are not the subject of the bill and, particularly with regard to both age and the requirement of training, would require additional consultation.

One of the things we've really tried to do, Madam Chair, in developing this bill is to proceed carefully and to make sure that

we've developed the maximum amount of public consensus on what can be contained in the bill. We do not have and have not conducted the extensive public consultation that I think would be necessary to proceed in these matters. They are not without merit, and I want to indicate that. But if we want to go further, as the hon. member would like, we need to go back and do more consultation.

Madam Chair, I want to say that this is not a final answer to this difficult question, but more consultation needs to happen, and, more importantly, more education needs to be done with respect to safety on off-highway vehicles. We're hoping to step that up. Safety is, of course, the bottom-line concern. The various groups, associations of off-highway vehicle riders are very supportive of this legislation, and they do a great job in terms of educating their members and the general public about safety on off-highway vehicles. We need to continue to support that, and we will.

There's a group called Trail Masters, that I just wanted to mention. A group of youth spend a weekend at a camp learning off-highway vehicle safety skills, including why they need to wear proper safety gear and how to ride safely and responsibly. After that camp each camper becomes a safety ambassador by presenting what they learned about off-highway vehicle safety to the grade 4 students in their schools and other community groups by request. These are the kinds of initiatives, Madam Chair, that we are supporting and we need to continue to support and to extend. Public education, in my view, needs to precede legislation. I think that we can make significant gains in safety by continuing to enhance that public education and public awareness.

At this time – and I regret to say this because the hon. member's support for this bill means a great deal to me – we are unable to support these amendments. As I said, not without merit, but I must recommend to the House that this amendment be defeated.

Thank you.

**The Chair:** Any other hon. members wishing to speak to amendment A2?

Seeing none, I will call the question.

[Motion on amendment A2 lost]

**The Chair:** Are there any further questions, comments, or amendments with respect to this bill? Seeing none, are you ready for the question?

**Hon. Members:** Question.

[The remaining clauses of Bill 36 agreed to]

[Title and preamble agreed to]

**The Chair:** Shall the bill be reported? Are you agreed?

**Hon. Members:** Agreed.

**The Chair:** Opposed? That's carried.  
The hon. Government House Leader.

**Mr. Mason:** Thank you very much, Madam Chair. I move that the committee rise and report.

[Motion carried]

[The Deputy Speaker in the chair]

3:30

**Ms Woollard:** Madam Speaker, the Committee of the Whole has had under consideration a certain bill. The committee reports the following bill: Bill 36. I wish to table copies of all amendments

considered by the Committee of the Whole on this date for the official records of the Assembly.

**The Deputy Speaker:** Does the Assembly concur in the report?

**Hon. Members:** Aye.

**The Deputy Speaker:** Any opposed? So ordered.

## Government Bills and Orders Third Reading

### Bill 33

#### Miscellaneous Statutes Amendment Act, 2016 (No. 2)

**The Deputy Speaker:** The hon. Minister of Transportation.

**Mr. Mason:** Thank you very much, Madam Speaker. I rise today to move third reading of Bill 36, An Act to Enhance Off-highway Vehicle Safety. The bill was proposed following years of requests for action from individuals and our safety partners.

**The Deputy Speaker:** Hon. minister, I believe we're on Bill 33, as was announced.

**Mr. Mason:** Oh, I'm sorry. Miscellaneous statutes. A critical piece of legislation. We've consulted widely, Madam Speaker, with opposition House leaders, and I understand that they're okay with it.

Thank you.

I move Bill 33, the Miscellaneous Statutes Amendment Act, 2016 (No. 2), for third reading.

**The Deputy Speaker:** Any other members wishing to speak to this bill?

Seeing none, the hon. minister to close debate.

**Mr. Mason:** Yes. Thank you.

[Motion carried; Bill 33 read a third time]

### Bill 36

#### An Act to Enhance Off-highway Vehicle Safety

**The Deputy Speaker:** The hon. Minister of Transportation.

**Mr. Mason:** Thank you very much. I'm sorry. In my excitement I jumped the gun, but I'm now pleased to move third reading of Bill 36, An Act to Enhance Off-highway Vehicle Safety.

Madam Speaker, this bill was proposed following years of requests for action from individuals and our safety partners. The Injury Prevention Centre at the University of Alberta has been collecting data on off-highway vehicle safety for years. Their data shows that an average of 19 Albertans are killed each year while operating or riding OHVs. The largest group of injuries and fatalities is that of riders who were not wearing helmets. It's time for the government of Alberta to take action to reduce the injuries and fatalities to the citizens of this province's off-highway vehicle community, and that's what we've done with Bill 36.

Madam Speaker, we heard from other members of this House, and I've been very pleased to have their support. With that said, some amendments were put forward, and we have dealt with them. I think that with regard to some of the exemptions that were proposed, we know that research on motorcycle helmets, which would follow most of the same standards, has shown that any impairment is negligible.

Madam Speaker, I want to just indicate that I would like to thank members of the House for their support for Bill 36. It's been noted that this bill has been a long time in the making, and I believe that the work done to make it happen has struck the right balance. As I indicated to the hon. Member for Calgary-Mountain View, we're not done with education; we're not done with consultation. I believe that we have the support of the off-highway vehicle community. I believe we've consulted widely, including with the agricultural community, and we have, I think, arrived at a sensible bill that will protect people, particularly children, from being injured, permanently impaired, or killed in accidents involving off-highway vehicles.

I want to thank all members for their support. Thank you.

**The Deputy Speaker:** Any other members wishing to speak to the bill? The hon. Member for Barrhead-Morinville-Westlock.

**Mr. van Dijken:** Thank you, Madam Speaker. I rise to speak to Bill 36, third reading, An Act to Enhance Off-highway Vehicle Safety. Come May 2017, when it comes to off-highway vehicles, all drivers, riders, and persons being towed, of any age, will wear a helmet when on public lands, with the passage of Bill 36.

Now, last night Wildrose was trying to be helpful. We do that from time to time to help the government make bills a little better. We tried to get an exclusion for hunters and trappers, and we made our argument. That argument was weakly responded to by the NDP Member for Wetaskiwin-Camrose, who said, "Regardless of the research we are saying no to the exemption." And the amendment was defeated.

Fortunately, though, Bill 36 is a compromise that allows the minister to make regulations to allow exemptions to the rules. Perhaps some future government will find a way to allow an exemption for hunters and trappers when they are engaged in their work. But until then, Bill 36 at least respects the property rights of rural landowners, farmers, and ranchers on their own land, leased land, or lands with the implied consent to be on, including grazing leases, and exempts them from this requirement to wear a helmet. Bill 36 also recognizes that fish and wildlife officers, Alberta sheriffs, and the RCMP would have much difficulty coming onto private property to issue a ticket for not wearing a helmet. This is the compromise, and it is one I am able to concur with.

Helmets are already mandatory for motorcycles and moped drivers in Alberta – all drivers, no exceptions – and off-highway vehicles can reach the same speeds as motorcycles. According to the government 74 people died over a 10-year period in Alberta from head injuries related to OHV accidents. Madam Speaker, that is too many.

Although the government has granted an exemption here for First Nation reserves and Métis settlements, I trust their councils will be responsible and adopt the appropriate bylaws to encourage helmet use on reserves and settlements.

For many riders the \$150 fine will be too steep, and for others it will not be steep enough. If this is the case, then maybe it is the appropriate fine. We will also see how regularly it is enforced.

I am pleased the minister conducted consultation on this law, unlike so many other laws the NPD has brought forward since the election. I have also had the opportunity to speak to people in my constituency with regard to the law, and I am pleased that Bill 36 has the support of the Alberta Off Highway Vehicle Association.

With that, Madam Speaker, I would encourage my hon. colleagues to vote in favour of Bill 36, and I thank you for your time.

**The Deputy Speaker:** The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Madam Speaker. It's a pleasure to rise and speak in support of Bill 36. I think it's certainly legislation that is long overdue in this province given some of the remarkable statistics that we've seen. An average of 16 ATV deaths in a year is far too many, many of which are preventable by wearing helmets, with children under 16 making up nearly 20 per cent of all ATV deaths, or on average at least three per year.

Given that, it would have been good, I think, to see the amendments proposed by the Member for Calgary-Mountain View pass. I recognize that the government was sympathetic to the general principle that the Member for Calgary-Mountain View was talking about, but I'm not sure I can think of many better examples of preventative measures than wearing a helmet in any activity that involves speed.

3:40

Certainly, this bill is going to go a great distance, a great way, towards helping to reduce injury and death from off-highway vehicle use, but I think it could have gone even further. Given that, I certainly do still support absolutely the bill. I know some of the concerns raised by stakeholders certainly are not without merit, but on balance the risk to public safety has not only a great impact on the lives of the people who are injured or their families if those people are killed but of all Albertans who fund our health care system. There is a substantial economic cost involved for those who are unfortunate enough to suffer injury, and that is something that I think is clearly in the public benefit. We know that in many – sadly, not all, but certainly many – cases a helmet does make all the difference between serious injury and walking away unharmed.

Madam Speaker, with those brief comments, I would certainly encourage all members of this House to support this important legislation. Thank you.

**The Deputy Speaker:** Standing Order 29(2)(a) comes into effect should any members have questions or comments for the previous speaker.

Seeing none, I recognize Grande Prairie-Smoky.

**Mr. Loewen:** Thank you, Madam Speaker. Yesterday the Wildrose brought forward an amendment to exclude hunters and trappers from this legislation. The reasoning was simple. Hunters and trappers use off-road vehicles to get to a hunting area or to retrieve game. They aren't running all over at loud, excessive speeds as it would be contrary to what they are trying to accomplish. I can understand the desire to protect children under 16 or 18, like the bike helmet regulation does. I can also understand to a certain extent the off-highway recreational users – we've all seen the fail videos online where speed and radical driving cause some horrific accidents – but the hunters and trappers are a completely different user group. To paint them with the same brush is ludicrous.

Now, the government voted down this amendment. They said things like, "Regardless of the research we are saying no to the exemption." Had they done proper research, they would have found that exemptions like this do exist in other jurisdictions. Manitoba, for instance, has made allowances for hunters and trappers.

Looking at the summary of off-highway vehicle engagement results the government produced, of the people who suggested that exemptions are needed, 31 per cent suggested hunting, fishing, trapping; 22 per cent said travelling at low speeds; 15 per cent said work; and 10 per cent said farming and ranching. I would think that should have had this government considering it before bringing in this wide, sweeping legislation.

Now, the Minister of Transportation said:

The proposed amendments that I will speak about today come from the latest phase of my ministry's review of the Traffic

Safety Act. They are the result of consultation with many Albertans, with our stakeholders, and with our traffic safety partners.

The Member for Calgary-Currie said, "Of course, we will be further consulting with outdoorsmen as well as members of the off-highway vehicle community for other possible exemptions."

The Minister of Transportation also said, "I'm looking forward to hearing some amendments when we get to Committee of the Whole because this is by no means the final answer, in my opinion, but I think it is the right balance for now for Alberta."

From those comments, you would think that there was consultation and a willingness to accept amendments. But, Madam Speaker, I've reached out to a few of the major stakeholder groups. I have to say that I was really disappointed to hear what they said. One said that they received an e-mail survey. They felt afterwards that the results of the survey were biased based on the results. They said that they went to the info session last week and that it was basically: the bill passed first reading; it is what it is, and you were consulted. Another group said that they were definitely not consulted. Another said that they got one phone call in which they informed the caller that they would oppose the legislation. They were told that they would be part of a formal consultation, which did not happen. None of these groups supported this legislation.

I hate to say this, but once again we have to bring this House information on the failures of this government. For once I thought that maybe – just maybe – this government would have it right. They said that they consulted and produced a document in regard to the consultation. Unfortunately, when you exclude detractors from your consultation, your consultation is just window dressing. This is how it was put to me by one of the groups: they come up with an idea, they present it with predetermined outcomes and then tell you that what they consulted on was what you wanted. Again, this is very disappointing.

They do have an opportunity to fix this oversight by taking the time to address these groups' concerns and to make the exemptions in regulations. I myself and my colleagues will be consulting closely with these groups and verifying that their voices are heard.

Madam Speaker, you can't simply ignore opinions just because they run contrary to your preconceived notions. Consultation should be genuine, meaningful, and definitely not predetermined. I do applaud this government in attempting to reduce harm to the people of Alberta by bringing forward legislation like this, but it would have been good to see a full and comprehensive consultation with the stakeholders involved.

Thank you.

**The Deputy Speaker:** Questions or comments under 29(2)(a)? The hon. Minister of Transportation.

**Mr. Mason:** Yes. I have a couple of questions for the hon. member. He's talked about groups that weren't consulted or felt badly consulted or ignored, but he hasn't named them. We did go rather extensively, and the main groups that are involved in this sport or this activity are extremely supportive of what we're doing here. I wonder if the hon. member can tell us which groups they were, and I wonder if he could also talk about his connection to the hunting and outdoor activity industry.

**The Deputy Speaker:** The hon. member.

**Mr. Loewen:** Thank you, Madam Speaker, and thanks for the question and comments there. Yes. The groups that I discussed with were all related to the hunting and trapping industry here in Alberta. They're all organized groups. As far as my involvement, of course, I in my previous job was an outfitter and guide in the

hunting industry, so I spent a lot of time on four-wheelers and a lot of time, myself and employees, working with four-wheelers. I have spent a lot of time in the forest.

Of course, the ATVs that I've seen running in the woods by hunters and trappers: they're driving responsibly. They're using the land properly, and they're enjoying themselves out there in the great outdoors, enjoying what they love to do, which is hunt and trap. That's why I take a particular interest in this. I don't think I have anything to be ashamed of in taking a particular interest in this either, Madam Speaker. I think that when I visit the forest and I see the many people out there enjoying it – again, I believe that there should be an exemption for hunters and trappers.

I know this government considered it but somehow, in the end, decided not to do that. It applies in other jurisdictions around us, so I think that that was an opportunity that was missed by this government, taking that amendment and passing that into legislation. I think this government has an opportunity to consult with these organizations fully and talk to them and see what their feelings are and how they can represent their views and their concerns. Obviously, they didn't feel properly consulted.

Now, there are different groups, obviously, that they did consult with, and that's fine, and that's great. Like I say, I was really hoping that this would be that one-off chance that this government would do things right. I reviewed the document that they produced. I thought that was all great, but I thought I would reach out to some of the stakeholders that I thought maybe were missed. I think it's a great opportunity for this government. They can have that opportunity to do that. I know the one organization, the Alberta Fish and Game Association, represents hunters from across Alberta. It's a big organization. I know also that the Alberta Trappers Association was not consulted on this. So there are a couple of them for you, Madam Speaker.

These groups here, I feel, were left out of this process, so I would like to encourage the government to reach out to these organizations, talk to them, and have a fulsome conversation with them on their concerns. I think there's plenty of opportunity for this government to make good ground with that, and I don't see why there's any problem with that. I would hope that there's no problem with that, anyways. When I looked at the results of the survey they had and I realized that not everybody was consulted, then it concerned me. Who else was left out? Who was included? Who wasn't included? I think there are just a lot of unanswered questions now.

3:50

Madam Speaker, again I applaud this government's looking at safety concerns of Albertans. That's one of the most important things we can do here. I would hope that they look at all the different aspects of safety that would protect Albertans from harm, so I would encourage the government to reach out to all these organizations. Maybe they were in a bit of a rush. I noticed that the consultation process happened in the month of September. That's what it said in the report. Of course, September is prime hunting season in Alberta, so I'm not sure if some of these organizations, you know, didn't have an opportunity to respond or, since it was a busy time for them, they couldn't.

Thank you.

**The Deputy Speaker:** Are there any other speakers wishing to speak to the bill? The hon. Member for Strathmore-Brooks.

**Mr. Fildebrandt:** Thank you, Madam Speaker. I want to thank the Member for Grande Prairie-Smoky for his remarks. I've seen the Member for Grande Prairie-Smoky driving an ATV before, and he

is perhaps the most gifted ATV driver I have seen in my life, driving through forest with fallen trees in a spring snowstorm. He's certainly someone who brings a lot of experience and personal knowledge to this debate.

I'm rising to speak against Bill 36. I do appreciate the intent of the bill. I applaud the government for attempting to put forward a piece of legislation to improve the safety of Albertans. That is a legitimate goal of public policy, and we should all be supporting that as an intent, but I think the bill fails to meet the mark on a few different fronts.

Now, when I use an ATV, the vast majority of the time I wear a helmet. When I ride an ATV, if I'm doing any kind of serious speed whatsoever, I wear a helmet because that's just smart. It's good practice. You know, we've seen what happens when people use ATVs at high speeds without using a helmet, and it is a very dangerous thing to do. I think that's something that we should encourage through education and advocacy, but I'm hesitant to believe that that should be legislated in the law.

I think that there is a very real need to make helmets mandatory for people who are not yet adults, setting that age at either 16 or 18. I remember using an ATV at 12 at speeds I probably shouldn't have been. I think that it's responsible that we require young people to wear helmets on ATVs. That's a legitimate role of government, I believe.

The opposition put forward a very reasonable and well-thought-out amendment to exempt hunters and trappers, and the member for Grande Prairie-Smoky made the argument quite eloquently on this point. Most hunters and trappers are not driving at high speeds. They're not going off jumps. They're not trying to do stunts or tricks in any form. They're generally moving at slower speeds, accessing a hunt site or looking for game. You know, someone riding an ATV, if they're hunting, if they see a target, generally has to respond pretty quickly. They dismount their ATV, but you can't really shoot with a traditional ATV helmet on. Unless you're wearing an infantry helmet, you're not going to be able to raise a rifle and hunt correctly with most ATV helmets.

We put forward a reasonable exemption for hunters, who use ATVs for very different purposes than some other purposes for ATVs, and that was, unfortunately, rejected. That's an amendment that, if it had been accepted by the government, I think, would have gone a long way to reaching out to those of us who have hesitations about this bill.

I also believe the bill is largely unenforceable. We're talking about this on Crown land. In most of the cases they're going to be quite remote areas, where there's simply just not going to be a lot of law enforcement around or where they have bigger priorities. I'd like law enforcement to be dealing with poachers, to be dealing with criminal activity, not dealing with policing adults, full-grown men and women, who are possibly riding at slower speeds while they're hunting. It is largely unenforceable. Most of the areas where this is taking place are going to be very remote areas. This is not talking about riding on-road or in populated areas. It's going to be Crown land.

I think we would be better suited to focus on education, encouraging people of all ages to wear helmets when they're using ATVs, particularly at higher speeds, where the purpose is recreational; that is, not hunting and trapping. I think we'd be much better focused on supporting education for this rather than legislating to protect adults from themselves, who in many cases are already behaving responsibly. For that reason, I must oppose this bill.

Thank you.

**The Deputy Speaker:** Any questions or comments under 29(2)(a)? Seeing none, I'll recognize the hon. Member for Calgary-Currie.

**Mr. Malkinson:** Thank you very much, Madam Speaker. It is my pleasure to get up and speak on this bill. I feel that we've had very robust debate as this bill has moved through the House. We've had a chance to actually discuss many amendments, as the last speaker alluded to. I mean, we spoke about amendments for hunting and trapping as well as for mandatory vehicle training. I think we had a robust debate on both of those amendments.

I'd like to take a moment to thank those who brought forward those amendments and were involved in that debate. I know that the Member for Calgary-Mountain View has been a long-time advocate on this particular issue. As well, I'd like to thank the Member for Barrhead-Morinville-Westlock as well as Grande Prairie-Smoky for his work on this bill and bringing forward the amendment related to hunting and trapping. I know we had a robust discussion on that particular amendment, and I appreciate the member reaching out to me on that amendment as well. I do want him to know that we gave that particular amendment some serious thought, and I appreciate him bringing it forward a little bit ahead of time so we had a chance to look into it further. I'd also like to thank the Member for Grande Prairie-Wapiti, who, you know, has shared some of his stories regarding accidents and ATV use. I'd also like to thank my colleague from Wetaskiwin-Camrose, who is also a cosponsor of this bill and spoke very eloquently on a variety of issues as well during debate, and, of course, the minister for bringing this forward.

You know, at the end of the day, this helmet law combined with public education, I think, will go a long way to increasing safety. One of the previous speakers did mention that when you are out in the wilderness, perhaps there is not a police officer around every tree to check on whether individuals are wearing helmets. However, this law does set a precedent that there is the expectation that you should be wearing a helmet. It sets a positive example for youth who are coming up to using off-highway vehicles. That combined with public education, I think, will have a positive effect on helmet use and will go a long way to preventing injuries where a helmet would help prevent that particular injury.

I know I have at least one constituent of mine in Calgary-Currie who has come into my office several times and is a passionate advocate for this particular bill – I was happy to have him bring it forward – as well as the Association for the Rehabilitation of the Brain Injured, who are strong advocates for this bill as well. I was happy to support this bill and work with the minister on this bill. I think that's good work to do as an MLA.

To conclude, I'm going to be voting in support of this bill. On average there are 19 deaths a year from ATV use, and if a helmet could prevent even one of those, I think that we have done good work in this Legislature. With that, I encourage all to support this bill.

Thank you.

**The Deputy Speaker:** Under Standing Order 29(2)(a), questions or comments?

Seeing none, I'll recognize the hon. Member for Calgary-Mountain View.

**Dr. Swann:** Thank you very much, Madam Speaker. Well, I'm disappointed, to be sure, that the government couldn't take it further than simply helmets, but it is progress. I can assure you that I will be on the minister's case in the new year. I expect that he will get both letters and appeals from those in the community that see an opportunity to reduce suffering, handicaps, and hospitalizations, up to 1,000 a year. Three children under the age of 16 die every year, partly from a lack of parental oversight, I presume. But I guess one has to say that if need be, children deserve the state trying to protect

children where parents aren't there for them, aren't requiring good training, aren't requiring them to be supervised, aren't requiring them to learn the basics of how to deal with an emergency situation on their all-terrain vehicles. Age is a critical factor in their capacity to manage a thousand-pound transportation device, and training is a critical factor. I don't think we need to know that. We have established that in respect of motorbikes and cars and other vehicles.

4:00

I don't think that this is also applying to snowmobiles. Are we going to have to bring forward a separate bill for snowmobiles? It's not clear to me, but they are managed in the same way as ATVs in some legislation. It's clear that that's the next step. If this helmet law doesn't apply to ATVs and snowmobiles, I think we're missing an opportunity, and I think we've missed a crucial opportunity to put more age restrictions on those who are operating what can be very serious weapons for injury both to self and others.

I will leave my comments there. The minister has known for some months that these were areas that we both agreed upon, and I expected more from this bill, but I will continue to press for those changes. Thank you, Madam Speaker.

**The Deputy Speaker:** Questions or comments under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the bill? The hon. Member for Drayton Valley-Devon.

**Mr. Smith:** Thank you, Madam Speaker. Bill 36, An Act to Enhance Off-highway Vehicle Safety, is a pretty interesting bill, one which I rise today to speak in favour of. I know that as teachers we often would have our kids look at the question: when should safety trump freedom? We would look at that in the context of many different forms of sport and activity in society, and I think that this bill falls under that kind of a discussion, that we're having in this House today.

You know, when trying to figure out whether safety should trump freedom, you have to ask yourself a few questions. I know that one of the points that people have brought up is that Alberta is the only province without helmet laws for off-highway vehicles, and I suppose that's maybe a fact. I'm not sure that it's a very persuasive reason for whether we should trump freedom and individual choice because, you know, life is about choices. That's a really important part of life: the ability to be free to make your own choices about how you're going to live your life, the kinds of recreational activities you're going to have, the kinds of things you're going to do.

I mean, freedom is what makes life worth living. It's a very important thing, to be allowed to make those kinds of choices. We don't have to look too deeply in our history of law to understand that much of the law that we have in our society is about ensuring that a big government can't unduly or unreasonably restrict the freedoms of its citizens. That's a very important concept to uphold.

We also know that safety is a primary consideration in our society. We want to ensure that individuals in our society, as they exercise that freedom of choice, are not unduly bringing harm to themselves, that they are making wise choices because we understand that with a public system of health care – often my students would bring up the point that in exercising their freedom, you know, it's up to the public sometimes to have to pay for the consequences of those actions. That's a reasonable argument, and it's a reasonable thing to be thinking about.

I said that when I rise today to speak in favour of this bill, it's weighing those pros and cons. It's weighing that reasonable expectation that we would try to protect people sometimes from

their own poor choices and that we would not place a burden on society with regard to the consequences of poor choices and safety while, on the other hand, trying to make sure that we do allow people to make their own free choices in life and to pursue and enjoy life as they see fit.

You know, skiing is a dangerous sport, and when I first started skiing as a young boy, I never even thought about wearing a helmet. It just wasn't around. Now when I get onto the slopes at 56 years old, I'd better wear a helmet because I'm often face-planting into the snow. Is it a reasonable expectation for somebody to wear a helmet? I think it probably is when you're skiing. Should the state be enforcing it? I don't know.

I know that one of the kids, when we were having these debates in my class, asked if he could go on the Internet, and for the first time in my life I saw somebody that was crazy enough to wear one of those chipmunk flying suits and jump off the side of a mountain and think that they were going to be able to use the flaps on their suits to be able to guide themselves safely down onto the ground. I'm going: you have got to be crazy. So we had that conversation: should we ban that? Should we say that that's just too risky an exercise and that the people that are participating in that kind of event, you know, maybe shouldn't have access to health care if they're going to do something that risky?

**Mr. Barnes:** Or at least wear a helmet.

**Mr. Smith:** Or at least wear a helmet.

You know, these things are being discussed by society and by our students. I think that when I look at this bill, I see that it brings a measure of reasonableness to it. It brings a measure of safety with regard to the discussion we're having for off-highway vehicles, but it doesn't shut down the activity. It still allows the individuals to experience the great outdoors, to experience the great outdoors on the back of an ATV, but it does provide a measure of safety.

I probably wish the House had made an amendment for hunters and trappers. I think these are the people that are in the outdoors probably more than most people in our province. They have shown, from my experience in my constituency, that they have control over what they do. They're making wise choices. They understand how dangerous being outdoors can be, out in the wilderness a long ways away from any help. I have a great deal of respect for the experience and the decision-making of the hunters and the trappers of the province of Alberta, and I think it would have been a reasonable measure and a reasonable amendment for this House to support, so I'm disappointed that we didn't do that.

Overall, I see some checks and balances here. I can see that it applies to public lands, that there are exemptions to the helmet-wearing laws on private lands and lands that are on Métis settlements and First Nations reserves, for farm and ranch operations, and if you're a farmer and you're crossing a public highway, you're exempt from having to wear a helmet when crossing that provincial highway. You know, there are some reasonable steps that are being taken in this bill to ensure that it's not an onerous thing, but it is about public safety.

With those thoughts, I guess I would suggest that this bill, although not perfect, is worth supporting, and I will be voting in favour.

**The Deputy Speaker:** The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Thank you, Madam Speaker.

**The Deputy Speaker:** Sorry. Is this under 29(2)(a)?



**Mr. Nixon:** Oh. Sorry, Madam Speaker.

**The Deputy Speaker:** Any questions or comments under 29(2)(a)? Go ahead, hon. member.

**Mr. Nixon:** Thank you, Madam Speaker. I will rise and briefly speak about this. I have a couple of concerns, not with the bill itself but with some of the impacts that the bill may have, particularly in my community, that I just want to be able to say on the record and hope the minister hears.

Before I say that, I will say that I do support this bill. My younger brother Tyler – I have five brothers. I talk about them all the time. I like them. They're the only people in this world, Madam Speaker, that can look me in the eye usually, so I feel more comfortable around them, I think. He's the fifth of the six boys; I'm the oldest. About 12 or 13 years ago Tyler came camping with my wife and me and our youngest son. He was still a teenager. I'm about 10 years older than him or so. He got in an ATV accident. He was wearing a helmet, but he was driving up a hill, and he was very inexperienced with the bike. The bike came up, and he hit the thumb throttle, and the bike slammed him on the ground.

If he hadn't been wearing a helmet, he would have died. As it was, he almost died. All the right side of his face is metal, and part of the left side of his face is metal. He's okay, fortunately, but can't get through airport security very well anymore. It's always a pain. But if it wasn't for that helmet, he wouldn't be here. So I certainly understand that.

**4:10**

I also spent several years working for the Mustard Seed at one of their rural facilities in an area that has a lot of ATV use and have had to respond to lots of ATV accidents, being some of the only people that are out there and far away from emergency services, so I certainly do know that helmets can help. I myself never do any serious trail riding without a helmet, particularly after witnessing my brother's situation.

I do have to thank the government for recognizing that ATV use on private property is often different than trail riding. I know, for example, that when I'm clearing my driveway from snow with my ATV, if I wear the helmet, I often run into the garbage can or the side of the garage or stuff because I have trouble seeing as I'm removing snow. You know, if I'm moving hay for the horses, that stuff, I'm clearly not operating at that speed. The minister and the government recognized that, and I thank them for that.

The hon. Member for Drayton Valley-Devon and several members on both sides of this House and I represent areas that include a large amount of what we affectionately call in our constituencies the west country, which is the eastern slopes of Alberta and Alberta's backyard, their playground. We have a lot of ATV use inside those constituencies, particularly at certain times of the year. Sadly, I can't remember the last long weekend when I have not read about a fatality inside my constituency on a long weekend, which emphasizes the importance of this legislation.

My community is already taxed often with the work that they have to do with what is going on in Alberta's west country, particularly on long weekends, with that type of stuff. Our fish and wildlife officers are already extremely taxed, I believe, often to the detriment of our fish and game in our constituencies. Our forestry officers are often taxed already with other stuff. I think, you know, there's a clear pattern over the years of not enough enforcement officers to deal with the issues that we already have to face inside our constituencies that are important to all Albertans: environmental issues, fish and game issues, dealing with trappers, that type of stuff.

I just want to emphasize again that we are bringing on another enforcement duty to these individuals who are already very, very taxed inside our communities. I know it overlaps the different ministries, but I think it's important. I feel I need to rise on their behalf just to say that this will continue to add to their burden, and it's going to continue to emphasize the need to finally deal with the funding for fish and wildlife and forestry inside our constituencies once and for all.

Thank you very much, Madam Speaker.

**The Deputy Speaker:** Any questions or comments under 29(2)(a)?

**Dr. Swann:** I'm interested in hearing the member's comments about age-appropriate limitations on ATV use.

**Mr. Nixon:** Well, you know, when I'm on my boat, Madam Speaker, it's not the law that I have to wear my life jacket. I have to have a life jacket on the boat in Canada, but I always wear my life jacket when my kids are on the boat because I want to be a good influence on them as a dad, and I think that teaches them a lesson. My kids are so well trained now that as I'm coming in towards the dock, I often like to pop off my life jacket in advance of jumping off, and they get on me right away, so they know that it's a safety issue.

Kids can't make decisions for themselves. Well, they can make decisions for themselves, but sometimes they could be put in situations where, you know, their level of maturity does not allow them to necessarily make the safe decision. They're influenced by the adults that are around them. Certainly, we want to make them safe.

You know, we already have manufacturers' recommendations on bikes. As far as I'm aware, most bikes that I have ever owned recommend that anyone 16 years or older use them. My children have used bikes since younger, but we've always bought ATVs that are age appropriate for them. We reduce the power capacity and all that stuff. I've got to say that my experience is that most of the parents I have ever ridden with in the ATV community were doing that for their children to make sure they didn't put their children in an inappropriate spot. I have not witnessed a tremendous number of problems. I think that's what the hon. member has asked me about, children or younger people being put on bikes that they weren't capable of handling. I personally haven't witnessed much of that.

I'll be honest. Most of the accidents that I have witnessed in my time working in the forest reserve involved alcohol and not very young people. People between, you know, 18 and early 20s are the ones that I witnessed the most, certainly not kids that ride on a regular basis with their families. My experience has been that the families are making sure to put them on appropriate machines.

Again, I think we want to try to make everybody safe, and I think this bill goes a long way to at least making sure that everybody is wearing a helmet. I know they save lives. As I said earlier when I stood up, I think that's important. I also trust Alberta parents, though, to make the best decisions for their children.

Thank you very much.

**The Deputy Speaker:** Any further questions under 29(2)(a)?

Seeing none, are there any other members wishing to speak to the bill? The hon. Member for Calgary-Fish Creek.

**Mr. Gotfried:** Thank you, Madam Speaker. I don't want to get too in-depth on this, but I've been a motorcyclist myself since about the age of 12. With good fortune and good luck and probably a little bit of skill, I've managed not to have any accidents in that period of time. However, my older brother at about the age of 16 did have an accident, and since that day I've worn a full-face helmet. In fact, I

don't feel comfortable hopping onto a motorcycle until I put a full-face helmet on for self-preservation.

I know that there's some controversy around this bill. It might be a bit heavy handed, but my concern really is for the safety of the majority of people here. If we can save one life – my wife has a cousin who was in a motorcycle accident. You know, these accidents occur in the backcountry, and he was riding what probably was a motorcycle that may have been a little bit overpowered for him at the age of about 13. He's now getting close to 40 years old, and he's had a brain injury for that entire period of time. It has deeply affected his life and his family's life, and I'd like to think that we would do everything possible to avoid that happening to anyone.

We can argue about decisions and freedom and whatnot, but I think it's a good precedent and a good habit to set. Even if we were to allow adults to have discretion, I would hope that they would be wise enough. I think some previous members have said that those who don't wear helmets will suffer the fate of Darwinism, but I think that maybe we need to be a bit more responsible than that. We need to protect and set precedents here and set legislation in place to protect people under these circumstances.

Again, there are the exclusions on private land, so if it is a rancher or a farmer and they choose to do that. I know that there are some issues around hunters. I'm hoping that they can find a way through possibly using, you know, some of the little . . .

**An Hon. Member:** Infantry helmets.

**Mr. Gotfried:** . . . infantry helmets or whatever, the flat helmets that allow them still to hear.

There could be some safety issues around hunting that should be taken into account, but you know what? We live in a world where there's lots of innovation, and maybe there will be a certain innovation which will meet the requirements of having that helmet safety that they require while not, you know, overly encumbering their opportunities to take part in different types of recreation.

So with some caution, I intend to support this bill because I think that the lives of anyone – again, as mentioned by the Member for Rimbey-Rocky Mountain House-Sundre, you know, we hear about it, it seems, every long weekend, and if we can not hear about it or we can hear about it less on long weekends, I think that's a positive move on behalf of Albertans to protect their safety and to protect health care, that is having to be delivered in many cases for decades because of breaches or incidents that occur because of it.

Thank you.

**The Deputy Speaker:** Rimbey-Rocky Mountain House-Sundre under 29(2)(a).

**Mr. Nixon:** Yeah. Thank you, Madam Speaker. I appreciate the hon. Member for Calgary-Fish Creek's comments. I do appreciate him bringing up hunters. I would like to just briefly ask him a question about trappers. I know that he represents a constituency in the great city of Calgary, where I was born. It's a great place. I do not know – and I don't want to presume – whether he's had experience on a trapline or knows any trappers.

I represent a constituency that has a lot of trappers, and I've had the privilege of spending lots of time on traplines with them. It is a unique environment, and there are some safety concerns with restricting how you can hear and how you can see. You're also stopping constantly at low speeds, working traps or removing trees or debris that are along the way on the trail. Now, I was listening to the hon. leader of the Liberal Party. I don't know. Maybe snowmobiles won't apply to this, and most trappers are on snowmobiles

as they work their traplines. I don't know where that's at, to be honest.

I do wonder, for a member from a riding that doesn't have trappers as a regular thing coming into the coffee shops or stopping by the office to visit, what his thoughts are about some of the concerns that have been brought up by some of our members on possibly getting an amendment or at least encouraging the government to maybe work with the Alberta Trappers Association going forward, to try to get this right during the regulatory stage to make sure that they're safe as they do their work on the traplines, recognizing the uniqueness of them.

**The Deputy Speaker:** Calgary-Fish Creek, did you wish to respond?

**Mr. Gotfried:** Madam Speaker, you know, I think that the opportunity. . .

**Mr. Rodney:** It's Fish Creek. You've got trappers.

4:20

**Mr. Gotfried:** It's Fish Creek.

Interestingly enough, of course, my constituency borders Fish Creek, where none of these vehicles are allowed. I'm actually quite happy that that's the case, that we don't have to face that. It is the most heavily visited provincial park in Alberta and does not include the use of any types of recreational vehicles on the site.

**An Hon. Member:** Or traps.

**Mr. Gotfried:** Or traps.

Again, I think that you raise some good points, that there are some challenges here. There are going to be challenges, but there are with any legislation in terms of how we address doing the right thing versus that some people may or may not be pleased with all of the outcomes of the legislation. But I think, again, there will be some innovations that will allow people to have the recreation that they prefer to have while riding on these vehicles.

You know, I think that there's an opportunity here for responsibility, for individuals to act more responsibly, to protect themselves, and to protect Albertans, really, because we end up bearing the health care costs for injuries and brain injuries that are long term. Again, none of us would wish that on anybody, but it is a public cost that is borne, which may be driven in some cases by responsible and in some cases irresponsible behaviour. Sometimes it's just that incidents and accidents do occur. That's life, and we face that every day.

I think that the concerns that some of the members have raised against this legislation and those that are in support of it are all valid, but I think that this is probably the right approach for us to take, to support this and to protect those that may be irresponsible. We maybe just need to have some legislation to protect them in the instances of the inevitable accidents that do occur.

Thank you to the member for the question. I think that many of us are on the same page on this, and I respect those who have some concerns about it as well.

Thank you.

**The Deputy Speaker:** Calgary-Mountain View under 29(2)(a).

**Dr. Swann:** Thank you, Madam Speaker. I'd be interested in the member's comments about whether age 14 is an appropriate age or not to limit access to independent driving of an ATV.

**Mr. Gotfried:** Thank you to the member for the question. You know, having started riding motorcycles myself at the age of 12, I

think it's – back in my day at the age of 14 you could ride a motorcycle of 100 CCs or less, and of course I made sure that I had one on the day that I turned 14, so I started riding one a little bit before that. You know, to the member: I'm not sure that the age restriction is going to deliver the right outcome because you're going to have families in the backwoods and you're going to have some opportunities. Quite frankly, because I learned to drive at a young age, maybe that contributed to the fact that I have not had accidents many decades later, because I had made mistakes when I was younger in situations that were not critical and learned a lot about how to handle a motorcycle. I would like to think that learning at a young age is something that is a good thing, but it doesn't necessarily mean that we . . .

**The Deputy Speaker:** Any other members wishing to speak to the bill?

The hon. minister to close debate.

**Mr. Mason:** Thanks very much. I want to thank all members for their comments and their contribution to this debate. I think that there have been a number of very thoughtful comments that have been made.

We certainly are open to consulting, and we certainly did consult with organizations like the Fish and Game Association. We respectfully disagree with their perspective, but I want to say that they were consulted, and we are aware of their views with respect to that. Nevertheless, the overwhelming number of organizations, particularly ATV-user organizations, were very supportive of this particular direction.

I'd like to talk a little bit about the amendments, for example, for recreational hunters, trappers, and so on. It is the case that people who work professionally in those industries do come under occupational health and safety regulations. I don't know what it's like out in practice there. I have not been out on a trapline. I'll admit here in the House today that it's a deficiency in my experience. There is a requirement that commercial hunters and trappers do wear helmets. That doesn't come from this legislation or from the transportation safety act, but it comes from the Occupational Health and Safety Act and code.

What we're really talking about, then, are recreational hunters and trappers, and there are a few points I'd like to make on this piece. We did do consultation on this, including with our own fish and game officers. It has been suggested that a helmet impairs hearing, sightlines, targeting, aim, and accuracy. I just want to indicate, first of all, that it is illegal to carry a loaded firearm on a motorized vehicle. You are not allowed to shoot from a motorized vehicle, and the motorized vehicle itself potentially provides some considerable disturbance to the game, more so than the act of taking off a helmet would do. I think that it was for those reasons we felt that the particular amendment was not necessary.

We recognize that people use ATVs, that they use them responsibly, and that they don't travel necessarily at high speeds. Nevertheless, at least according to the letter of the law, it would seem that people would use ATVs to get to the area of a hunt, and it would not interfere with their ability to actually do hunting because they're going to have to get off the vehicle, they're going to have to load their weapon, and so on. So the simple act of removing a helmet is not going to interfere nearly as much as some of the other activities. I think we need to make that distinction between how ATVs are used. People may shoot from a moving vehicle or be on a vehicle and carry, but that's certainly not legal, and we're proceeding on the basis of the law as it is. I know that members have these concerns, but I think the important point is that we need to deal with safety.

The hon. Member for Drayton Valley-Devon, I think, made a very good speech in talking about the balance between freedom and safety, you know, and this is a question that we have wrestled with. I don't think that they're always in direct contradiction. Sometimes they can both be accommodated. In any event, it's a balance, and depending on your political philosophy, you might be 60-40 or you might be 40-60, but nobody in this Chamber is 100-0, I think, and that's important.

Nevertheless, we wanted to take a careful approach and to have consensus. I think that was my objective in this matter. Having learned from some previous pieces of legislation the hard way, I think we're trying to adapt those lessons in order to move towards a safer Alberta that respects people's rights and respects communities and traditions. We have certainly recognized the traditions that exist in this province for off-highway vehicles as part of the recreational and occupational lives of people in our province.

[The Speaker in the chair]

I believe that this legislation does strike the right balance, Mr. Speaker. I do want to indicate that I appreciate the support, not just from the government side but from the opposition side as well. I think that moving forward in some degree of unity on these questions is the best way to advance the safety of the public and to show respect to all citizens of the province.

4:30

So thank you very much for your support and to those that aren't supporting for their thoughtful comments as well.

Thank you, Mr. Speaker.

[Motion carried; Bill 36 read a third time]

## Government Bills and Orders Second Reading

### Bill 35 Fair Elections Financing Act

**The Speaker:** The hon. Member for Edmonton-Decore.

**Mr. Nielsen:** Well, thank you, Mr. Speaker. It's certainly my honour and definitely a privilege to rise today and move second reading of Bill 35, the Fair Elections Financing Act, on behalf of the minister of democratic renewal.

These changes, Mr. Speaker, build on Bill 1, An Act to Renew Democracy in Alberta, our government's first piece of legislation after taking office. Bill 1 put an end to corporations and unions making political donations and was our first step in strengthening the democratic process.

This bill, Bill 35, is our second step. It would rein in election spending by political parties and reduce an individual's contribution limits. Third parties would also no longer be able to fund their agendas through anonymous contributions for political advertising.

Mr. Speaker, Alberta is a forward-thinking province, and our election laws must reflect that. What we all want are fair elections. To our government, fair elections means that Albertans decide elections, not big money and special interests. Fair elections mean a transparent, level playing field for all candidates and parties. I believe this bill would improve our system and give democracy back to Albertans. These amendments would assure that ideas and not money would determine success or failure at the polls. They would mean that Alberta's political leaders would be chosen based on what they stand for and not be influenced by how much money was spent during political campaigns.

The bill sets limits on how much political parties, candidates, constituency associations, and nomination candidates can spend. Political parties would have a \$2 million spending limit starting at the drop of the writ and to the close of polls. Candidates would also need to follow spending limits of \$50,000 in an electoral division.

For by-elections, Mr. Speaker, parties would only be able to spend \$23,000, which is \$2 million divided by 87, the number of electoral divisions in Alberta. Some expenses would not count towards these limits. These include travel costs reasonably related to the election or contest, care for children and other dependants, expenses related to candidates living with a disability, audits and professional fees necessary for compliance with the act, and incidental expenses such as parking and gas incurred by volunteers.

Nomination contestants would also be subject to a spending limit of \$10,000, 20 per cent of the spending limit for each electoral division. Both nomination contestants and leadership contestants would be required to register and report to the Chief Electoral Officer when they either announce their intention to seek a nomination, begin incurring costs, or accept contributions. Mr. Speaker, we are long overdue for the increased transparency these changes would provide.

Bill 35 also changes contribution limits so that individuals can only contribute a maximum of \$4,000 per calendar year. In addition, the bill ensures that unions and corporations can no longer offer paid staff to work on campaigns. Services provided to candidates and campaigns by volunteers like providing office space or graphic design services would be considered a financial contribution.

Third-party advertising, another area addressed by this bill. During the writ period third parties, whether they are individuals, corporations, or groups, would be limited to \$150,000 for advertising, and no more than \$3,000 of that amount can be used to promote or oppose the election of one or more candidates in any one electoral division. Albertans would also know who is paying for third-party advertising through a sort of sunshine list. Third parties must disclose contributions received for political advertising to Elections Alberta through public reports available for anyone to view.

Mr. Speaker, democracy is really an amazing process, and processes can always be improved. That said, we should keep striving for that next improvement. Alberta's election and spending contribution laws currently lag behind other Canadian jurisdictions, and that's unacceptable. Albertans deserve a fair and modern system. We deserve a political environment that fosters and expands political participation for all candidates in every constituency in our great province. We deserve an even playing field free of influence from those with deep pockets. As the great late Jack Layton said, "Democracy matters, because all of us need to be able to make a difference." The Fair Elections Financing Act would ensure that we can all make that difference.

I certainly look forward to the debate that will probably be ensuing once we get going on this, and I look forward to hearing comments from all members of this House, Mr. Speaker. Thank you very much.

**The Speaker:** The chair would recognize the Member for Edmonton-Whitemud.

**Dr. Turner:** Thank you, Mr. Speaker. I rise to declare that I am going to be recusing myself from further participation in the discussion and voting on Bill 35. I am a guarantor on a loan to the New Democratic Party of Alberta, and the Ethics Commissioner has advised me that I should recuse myself out of an abundance of caution although it is not essential.

**The Speaker:** Given that, I think you should leave the House, hon. member.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thanks, Mr. Speaker. I rise today to talk about Bill 35. I do want to start off by talking about contribution limits. My party, the Wildrose Party, the Official Opposition, has long had concerns with the contribution amounts that were available to people within our political system in this province, something I think that we shared often along the way with members from the current government party, particularly when they were in opposition. The amount of \$15,000 for one individual times two when you enter into a general election would mean during most cycles that one individual could spend upwards of \$75,000, roughly, donating to one particular party. We think that's too much.

I also want to point out, though – I might be anticipating a little bit, Mr. Speaker – some of the government's reaction to some of the things that we'll have to discuss shortly as we debate this bill. I do anticipate, because this is what I have witnessed so far in regard to talking about this particular legislation or issues associated with this legislation, that the government is going to get up and they're going to say: all the opposition parties want to put big money in politics. That's what they have done the whole way. Hopefully now, because we've gotten in front of that issue, we could clear it up right away so that they won't waste their time with that, and we'll be able to discuss some of the important issues around our democracy and Bill 35, that they've brought forward in this House today.

4:40

Let me again be very clear, Mr. Speaker, because I believe that it is important. We believe very much in keeping big money out of politics. In fact, every opposition party in this Assembly voted with the government to do that during committee and agreed that that was an important and valuable thing for the people of Alberta and for our system. In fact, if you look at some of the motions that were brought forward during the all-party committee, this party, the Wildrose Party, the Official Opposition, often tried to lower the limits more than the government wanted to lower the limits.

**Mrs. Littlewood:** That's ridiculous.

**Mr. Nixon:** It's on the record. We could check *Hansard* if the hon. Member for Fort Saskatchewan-Vegreville would like to.

It's clear that there were some discussions during the committee and that the concept of lowering the limits was shared by all parties. There is absolutely no doubt about that. The record is clear. That's where the Wildrose Party stands, and I'm sure you're going to hear that from other members as they rise to speak about that.

With that part of this legislation there, we think that the numbers in general that are being brought forward in this bill are a compromise, particularly the number around \$4,000. If you look at the debate through committee, that was a compromise by all parties. You know, this party, for example, wanted \$1,000 for constituency associations, not \$4,000. That is lower. I know the Member for Fort Saskatchewan-Vegreville is laughing about that, but that is lower, and there is a clear record of that.

But there are other things now. If we're understanding, Mr. Speaker, we all agree on dealing with the contribution limits. We should celebrate that. Every party agrees on dealing with that going forward, and that probably means that we got something right. But there are other issues inside this legislation that are concerning, and I am looking forward to talking about it as we move on with the different stages of this bill, particularly when we get to Committee of the Whole. Hopefully, we may be able to work on all sides of the aisle to try to make this legislation very good because it has to do

with all of our democracy. It has to do with the democracy of Albertans. We will sincerely be bringing forward some stuff, and we do hope that the government listens to that with some sincerity and at least evaluates that from their perspective.

One of the big areas that I want to talk about in second reading, though, is the concept that big money will now be out of politics with this bill. With Bill 1 we got union and corporation donations out. Again, all parties agreed on that, and we got it done. With this bill we'll be able to get limits on how much people can contribute to political parties and the candidates, and we'll be able to get that done. But we have not dealt with the last piece of big money in politics, and that is the fact that the government can still do whatever they want with their advertisement budget.

There's nothing in this that deals with the private member's bill that was brought forward by my good friend the hon. Member for Drumheller-Stettler that at the time was stopped in the Legislature, and then the government changed their mind – to their credit, I thought at the time – brought it back, and then referred it to committee. Nothing has been done on that issue. In fact, there is stuff within this bill that removes some of the language around government advertisement that I think is concerning. I do look forward to talking about that in Committee of the Whole.

The fact is, Mr. Speaker, that while we do agree that we should lower the limits, if we lower the limits for every other political party except the governing party, that can still use their government resources to influence by-elections in particular and to influence other things during election processes, big money is still in politics. It's just taxpayer-funded money now, which is a shame. Just a shame. Hopefully, we can address that issue.

Another issue that caused a lot of friction within the committee process was around the fact that this side of the House, every political party on the opposition side of the House, uses constituency associations. Constituency associations are a big part of this bill. They play a major role within this legislation and are very relevant. But the NDP, while they do have constituency associations, during the 2015 campaign according to their own reports never got one donation to those constituency associations. In fact, it's been pointed out by the hon. Member for Vermilion-Lloydminster that some of those constituency associations have the same CFO for a large number of them. I don't remember the number but definitely over two dozen. He's a really busy CFO.

Now, there's nothing wrong, Mr. Speaker, with the NDP not wanting to use constituency associations. That's the way they structure their party. I believe that's their right, and all the power to them. But every other party in this Assembly uses constituency associations and during the entire process has made very clear that this will cause serious problems to the grassroots structures of our parties. It's going to cause conflicts. It's going to cause people, volunteers, who make our political process work – we have to all agree on that. Volunteers are what make our political process work. It's going to cause them to accidentally be in situations where they may be breaking the law and not even know it. It's going to cause parties to have conflicts with each other on donations. They aren't going to be able to communicate. In our view, in the view of the executive committee in my party, the exact words are: this is going to kneecap the structure of our party at a time that it advantages this government, the incumbent government, because they don't use that structure.

Instead of working with all of the parties to understand how different parties work within our democracy, to accommodate it within the limits, it appears, certainly, now that we see the legislation come forward, that the NDP wants to continue to try to handicap the opposition parties to benefit themselves. That's what

it appears like to us. So I certainly do look forward to talking about that in Committee of the Whole.

Now, lastly, I am disappointed that the all-party committee on ethics and accountability, that was brought forward to look at this bill, was not allowed to complete its work. I think that has a bearing on the trouble that we will see with this legislation. The parts that the government has gotten wrong are because they never allowed that process to finish.

Now, the government will get up and they'll say: the opposition was filibustering, and they were trying to stop the whole process. But let's be clear, Mr. Speaker, that during that process the government members that were on that committee spent most of their time trying to get motions passed that would require taxpayers to pay for political parties' campaign expenses. Yes, if you want to ask if I was arguing about that, darn right I was arguing about it because my constituents have made it very clear to me that that is inappropriate. So because the government did not like the fact that we were arguing back and saying, "This is wrong; Albertans don't want to pay for your political expenses," they continue to try to use it as an excuse that the opposition was filibustering. We didn't even get to the point of filibustering. We were talking about the wrong decision the government was going to make.

In the end the government made the right decision, and it's a darn good thing for Albertans that all the opposition parties continued to fight for them, or the government would have made a terrible decision. They would have paid for their campaign expenses with the taxpayer dollars of the great people of this province.

Then, lastly, in anticipation because I already hear it coming from the heckles, they're going to accuse the opposition that the reason we didn't get to finish the committee was because we walked out one evening. But let's talk about the facts of that. This government never called more than half a dozen meetings for the first nine months or so of that committee. So the opposition parties stood up and said: "This is wrong. You won't schedule meetings. You're not taking this seriously, not taking it seriously at all, not calling meetings despite the opposition repeatedly, both in the press and in person, saying to call the meeting, that we've got important work to do." They stood up in their right to protest what the government was doing. That is different.

Over the summer my colleagues from every party on the opposition side of this Assembly participated with the government members in many, many committee meetings as they worked towards this. In the end, Mr. Speaker, the government disregarded the work that committee did and did not let it finish its work because they were frustrated because this side of the House was calling them out for trying to use taxpayer dollars to pay for their expenses. That's a fact. That's a fact. They were very frustrated by that, so they stopped the work that would happen on that despite the fact that in the end they agreed with us. In the end they agreed with us. They said: yeah, that was a terrible decision. In the end they agreed with us. To me, that shows that we were doing good work and that they should thank us for that, though I have mentioned before, Mr. Speaker, that never has the government risen and said, "Thank you for stopping us from making that terrible mistake," and recognized that the opposition was doing its job.

Now, I will close with this. While we agree with the contribution limits and we do hope that we can fix this bill to make it right for Albertans, the parts that we are bringing up often are inside baseball for most people who don't participate in the political process, but they are very, very serious. They can damage the way the opposition run their parties in this province. The governing party could be opposition again one day. They should think about that. Any time that you have the Alberta Party, the Liberal Party, the PC Party, and the Wildrose Party one hundred per cent in agreement, the people

of Alberta should be asking what their government is up to, and they should be having a look to see what is going on.

With that said, I do look forward to hearing some of the comments and having some discussions in Committee of the Whole to see if we can get some of the serious problems with this bill fixed for the people of Alberta. I also, Mr. Speaker, look forward to hearing from the government members and to them recognizing the mistake that they were making in committee and the waste of effort that they put into their committee in trying to bring forward legislation and motions that would allow their campaign expenses to be paid for by the people of Alberta.

4:50

**The Speaker:** The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you very much, Mr. Speaker. I've got a lot to say about this bill. As you know and as members know, I spent a lot of time on the Select Special Ethics and Accountability Committee. In fact, I attended every single one of 20 meetings in person, and a lot of work went into that process. It started with such optimism. It was in June 2015 that the Premier and the Leader of the Official Opposition got together to announce the creation of an all-party committee to review four bills: the Public Interest Disclosure (Whistleblower Protection) Act, the Election Finances and Contributions Disclosure Act, the Election Act, and the Conflicts of Interest Act. Later Bill 203, which dealt with government advertising, was also referred to the Select Special Ethics and Accountability Committee.

Now, as much as we started off with some optimism, it became fairly clear early on that there were going to be some challenges. One of the things that I pushed very hard for early in the committee was proper consultation, to take this committee around the province to talk about democracy with Albertans where they live. There was great push-back from the government side on this. They adjourned my motion. They turned it down. I made a motion to consult Albertans, and they turned the motion down using their majority. Let's just unpack that for a minute, Mr. Speaker. A committee set up to review four, soon to be five, of the most important laws governing our core democratic institutions in this province is going to sit in a windowless room in Edmonton, and they're going to talk about democracy in the ultimate ivory tower by ourselves. That was the plan.

Now, we pushed back very hard on that, and ultimately the government acquiesced and said: "Well, you know what? Maybe we'll do kind of an online consultation. We'll invite submissions. We'll perhaps ask some people in." I wasn't happy with that, Mr. Speaker. I find it remarkable that as we stand in this House ready to debate Bill 37 – and what is Bill 37? Bill 37 is supplementary supply, funding of \$1.45 million for the Electoral Boundaries Commission to travel the province, to eight different locations not once but twice, to solicit input from the people of Alberta on electoral boundaries. Electoral boundaries are very important. I would suggest to you that they are in no way one one-hundredth of 1 per cent as important as the Election Finances and Contributions Disclosure Act, as the Election Act, as the whistle-blower protection act, or as the Conflicts of Interest Act. This is the legislation that governs how Albertans elect the people who represent them. That is fundamental, at the core of democracy.

Now, I'm not suggesting we shouldn't travel the province and spend a million and a half dollars doing that, but I note the tremendous irony that this committee was allowed almost exactly 10 per cent of that amount of money. We are going to spend in this province 10 times what we spent on reviewing democracy, Mr. Speaker, on electoral boundaries.

We had an opportunity to engage Albertans in a way that they'd never been engaged before. That is something that I know while in opposition this government advocated for very strongly from this exact spot where I stand on the floor of this Assembly. But we were profoundly disappointed how quickly things change. There's something that happens, clearly, in the two-and-a-half sword lengths between here and the other side of the House. There's some mindset shift. I don't know what it is, and it baffles me. I hope someday to try to fight that off, the scourge of being dragged into thinking like a majority government that you not only can but must impose your will.

Now, let's talk about the scale of the project that we undertook when the Select Special Ethics and Accountability Committee was struck. I want to be really clear about some of the things I've heard from the government side, from the Government House Leader, in particular, about exactly what happened near the end of the committee. To understand that, let's understand what happened earlier on. Early on Senior Parliamentary Counsel was asked: has any committee of the Alberta Legislature ever considered four pieces of legislation in a single year? Her answer was: not only has it never been done in Alberta; it's never been done in Canada and, to the best of her knowledge, it's never been done anywhere in the Commonwealth.

That is remarkable. Do you know why that is, Mr. Speaker? This is where I will give the government their due. It is not the government's fault that it takes more than a year to review four pieces of legislation. It isn't. It simply takes time. How long did it take us to get through the whistle-blower protection? Well, we started off, and we invited submissions. We got our feet under us in the committee. People came and gave us thoughtful submissions in person. Many dozens of Albertans, stakeholder groups and individual Albertans, wrote to the committee and gave us their feedback. We then deliberated thoughtfully on that.

Now, we only had about half a dozen meetings in the first seven months, but in the last five months of the committee we had 13 meetings, for a total of 20. We worked through the summer. We worked full days, multiple days in a week. Let it not be said that anyone on that committee did not work hard because every single person – and I have a tremendous amount of respect for the work the chair did in wrangling a pretty unruly bunch. There were challenging times, unquestionably. But we all worked hard. The government worked hard. The opposition worked hard. Everyone worked hard.

We got through whistle-blower protection on July 6. Our next meeting was July 26, almost two months to the day before the end of the mandate of the committee. We didn't start debating and deliberating changes to the Election Finances and Contributions Disclosure Act until the 26th of July 2016. There's absolutely no way – and I can only imagine and would hope in my heart of hearts that the Government House Leader would agree with me – that it is possible to give thoughtful, thorough consideration to a bill as complex as the Election Finances and Contributions Disclosure Act in a month or less and then in time to actually put together a report.

This committee unanimously – that includes the NDP members – agreed to request from this Assembly an extension of the committee given the scale of that work. The fact that that has not been granted and that the committee was not allowed to finish its work is shameful, Mr. Speaker. There's a tremendous amount of work that was undone on the Election Finances and Contributions Disclosure Act. Some was done – a lot was done – but we barely touched on third parties. Yet we see third-party advertising in this bill.

Lets also talk about how things went once we did get to deliberation. Quite often; in fact multiple times, government members

brought in motions that they read into the record. Parliamentary Counsel went: "That motion is out of order. Hang on. Give me a minute." They worked on it back and forth, and we would spend 15, 20 minutes. Sometimes we'd take an adjournment just to get the motion right. Fine. The motion is read. Then an opposition member invariably would say, "Have you thought of this?" and there'd be this sort of rustling on the other side, and they'd go: "Oh. We hadn't thought of that. Okay. We're going to have to adjourn." Then they'd come back and propose a subamendment.

Then the same process would repeat. Parliamentary Counsel would finally get the wording correct, and after a bit of debate an opposition member would say, "Well, had you thought of this?" and the government would go: "Oh. We hadn't thought of that. Okay. We'd better adjourn." And this would happen again and again and again. Nine times the NDP amended their own motion.

If we want to talk about adjournment, Mr. Speaker, the NDP government members adjourned debate on their own motions 23 times. That has nothing – nothing – to do with the opposition. Nothing. So to claim that the only reason this committee took long, that the only reason this committee went long was opposition intransigence and silly games is disingenuous and offensive. That is not factually correct for what happened.

I'm running short on time. I will run through some of the specifics on the bill. I want to get big money out of politics. I always have. I believe eliminating corporate union donations is good. The \$4,000 limit: I think that's fine; \$15,000 to \$30,000 was far too much. I think a \$2 million limit on campaign spending by a party, with reasonable exceptions, makes sense. A \$50,000 constituency spending limit with fewer reasonable expenses makes sense.

5:00

But I want to pick up on what the Member for Rimbey-Rocky Mountain House-Sundre said earlier. There are certain parties in this Assembly, certain parties in this province who operate using constituency associations as a means of channelling the desire for grassroots democracy, and those are the Alberta Liberal Party, the Wildrose Party, the Progressive Conservative Association of Alberta, and the Alberta Party. That is the way we choose to operate.

The way the NDP chooses to operate is to exercise their right to tell Elections Alberta that their constituency associations cannot accept donations. What that means is that everything is done centrally within the party, and the party doles out money to the constituency associations or the candidates as needed when an election comes. That's legitimate. That's allowed, but that is not the way the rest of the parties work. As a result, any changes that burden constituency associations with additional quarterly reporting have a disproportionately negative impact on parties that choose to use constituency associations as a way of channelling grassroots democracy. That is especially problematic for smaller parties and emerging parties. Larger parties at least have the option of paying a staff member to make sure that all that filing is done properly.

The committee recommended – unanimously, I will note – to eliminate quarterly reporting for constituency associations. What has the government done? It's increased the amount of effort required for constituency associations to report. For anyone who's ever sat on a board, you know that the hardest position to fill is the financial position. The NDP has found that. Their solution is to have one person, the CFO, for 34 of their constituency associations. That's legitimate and allowed within the bounds of the rules; it's not the way other parties choose to do it. We, especially those of us in emerging parties, are going to have a very difficult time getting enough volunteers with the capability to co-ordinate all of that effort. We're not quite sure what it means yet, but it's likely going to force us to start to operate more like the NDP, which gives people

fewer on-ramps to participate in grassroots democracy in this province.

That's not, I think, a desirable outcome, nor is the overreach of involving a party nomination contest in the disclosure process. This party on the government side claims that they want to involve more women, more indigenous people, more people of colour, more people in poverty in politics, but you've created a barrier where people who choose to seek a nomination, perhaps just to see what the process looks like, give it a try, possibly prevail, possibly not, now have to fill in complicated Elections Alberta paperwork. That creates a barrier.

These are not people who are going to put themselves before the people of Alberta. Only one of the particular candidates who are nominated will actually seek election for this Chamber, and once they do, they will fall within the rules. I have a significant concern with that, not only the fact that it will create a barrier for people who do not have the wherewithal to fill in the required paperwork, but it also creates a barrier for people who just say: "Ah, forget it. It's a headache. I don't want to bother." And like some of the changes we've seen with AISH, it's going to reward people who are good at filling in paperwork as opposed to the people that perhaps we'd like to see in here.

Other concerns I have: the \$4,000 limit to a constituency association. That means that conceivably one MLA or one candidate could find three friends, each of them giving \$4,000 once a year over four years. That's \$48,000 of the \$50,000 you need to raise. You want to get big money out of politics? If you want the influence of a small number of people over the overall process out of politics, you will do what the committee recommended unanimously, which is to reduce the contribution limit back to \$1,000. What this bill does is that it increases the contribution limit to constituency associations four times. Perhaps it's accidental in drafting the bill and not having paid attention to the thoughtful deliberation from the committee, but I would really encourage the government to reconsider that.

As we finish, then, on the changes that have an impact on those smaller parties, I just want to be really clear about what I worry is happening here. What I see happening is an attack against emerging and smaller parties. The larger, established parties have the wherewithal to work the system, to actually comply, and it reinforces their position. What I fear is trying to be set up here is a two-party state in Alberta, where the only choices are on two poles. Alberta is not traditionally a two-party state. Canada is traditionally not a two-party country. Our system does not work well when there are only two parties. We see what happened in the United States when there were only two parties. Albertans are having to make a choice between two bad options. Our system works well when the opportunities arise for other parties to rise up. The changes in this bill will constrain the ability of our party to grow and constrain the ability of emerging parties, Mr. Speaker.

Thank you.

**The Speaker:** Under 29(2)(a), a question to the Member for Calgary-Elbow? Edmonton-Centre.

**Mr. Shepherd:** Yes, if you don't mind. Thank you, Mr. Speaker. I appreciated the remarks from the Member for Calgary-Elbow, but I am concerned by some real misinformation that he seems to have about how constituency associations operate within the New Democratic Party of Alberta.

Now, I put my name up for nomination with the Edmonton-Centre NDP in February of last year. At that time I had the opportunity to meet with the members of that EDA, who have been part of that EDA for many, many years. I assure you, Mr. Speaker,

this is grassroots, local, community democracy. These people live in Edmonton-Centre. They ran a campaign on behalf of the Minister of Economic Development and Trade when he first ran to be an MLA. They supported the Minister of Education when he first ran to be an MLA. They have been part of this, they live in the community, and there are a large number of people in this community who have been part of that EDA and supported multiple candidates. So let's be clear. Our constituency associations offer all of the same opportunities.

**Mr. Nixon:** How much money is in the account?

**Mr. Shepherd:** In terms of how we operate our accounts, the Edmonton-Centre NDP Constituency Association operates its own bank account. I regularly accept contributions from people who want to support our constituency association. We take in money from fundraising events for our constituency association. We choose to process those payments through the central party, who then remits back to us the portion of it which we retain for our constituency association and keep in our own bank account.

To be clear, the constituency association operates independently. We look after our own campaign financing. We co-ordinate some aspects of that with our central party; however, we are independent and work as a fully functioning grassroots-level association. We invite people from the community to join us. We're very happy to have many people from the community come out to join us. I can tell you that through my work, in my work out in our community we continue to grow that association, an association that, I repeat, existed long before I came along, with whom I met and discussed things before I even put my name forward to be a candidate and whose approval I sought and whose membership I reached out to in working to become the candidate and now have the honour of serving as the MLA for Edmonton-Centre on behalf of the Alberta NDP.

I can appreciate that the member may have some concerns about certain approaches. I understand that he may have some concerns about the way some other constituencies may have been run, perhaps in other areas. But I can tell you that there are multiple EDAs on behalf of the Alberta NDP that have the same kind of history as Edmonton-Centre.

**Mr. Nixon:** We don't have EDAs, David. Welcome to Alberta.

**Mr. Shepherd:** Well, whatever term you want to use to call it.

The fact is that our constituency association operates in the same way. It has grassroots, it has people from the community, we choose our candidates according to those votes, and we handle our own finances for our own campaigns. So by all means, I appreciate that the member may have some concerns about other aspects, but I felt it was important to make some comments, as is allowed under 29(2)(a), to clarify the manner in which we operate and to be clear that he should not be impugning all constituency associations with one broad brush.

Thank you, Mr. Speaker.

5:10

**The Speaker:** Under 29(2)(a)?

**Mr. Clark:** Mr. Speaker, I've got the Elections Alberta reports up here, and I see zero received contributions for number 31, Edmonton-Centre NDP Constituency Association, zero funds. Oh, sorry. I apologize: \$2.42 of other income.

Look, the fact is that, you know, to the point, everything in the NDP happens centrally. That's their choice. It's allowed within the rules. That's fine. They're the only party that works that way. So

when you create rules that support your party, you are not doing something in the best interests of Alberta; you are doing something in the best interests of the NDP. Albertans will see through it, Mr. Speaker. There's nothing that Albertans hate more than someone who wants to tilt the playing field to their advantage to disadvantage someone else. All that Albertans want is a fair fight. There was a tremendous opportunity here to build something, and they've squandered that opportunity.

**The Speaker:** Thank you, hon. member.

The hon. Member for Vermilion-Lloydminster.

**Dr. Starke:** Well, Mr. Speaker, thank you very much. I certainly have enjoyed the discussion thus far, and I appreciate the comments that have been brought forward. You know, I will tell you that my participation in the Select Special Ethics and Accountability Committee was an interesting experience and one that, regrettably, has not been decided by this government to be extended, as was unanimously requested by committee members.

But I want to make a few statements directly from the outset. First of all, the Progressive Conservative caucus is in favour of electoral finance reform. I want to be very clear on that.

Secondly, I want to make it very clear for those who perhaps have forgotten that the record will show that we voted in favour of Bill 1 to restrict union and corporate donations to political parties. We are also in favour of decreased contribution limits. As the Member for Calgary-Elbow has stated, the limits that were in place before were very high, and I don't think they were appropriate. We were in agreement with the reduction of those limits. The \$4,000 limit that is in the current legislation: we're, I think, in general in favour of that. We're also in favour of some mechanism for placing a limitation on spending with the proviso that that spending limitation has to be applied fairly. When I say "applied fairly," it means it has to be applied not just to political entities, but it has to be applied to an extent to third-party advertising, and it has to be applied to entities that are not covered under the Election Finances and Contributions Disclosure Act.

It also has to be applied fairly to the government. We've seen a government that has just finished spending 4 and a half million dollars promoting a climate leadership plan, which would be more than double the amount that a political party is allowed to spend in an entire election campaign. I think that is something that needs to be dealt with.

Now, there's been a lot of discussion, both here in the Chamber and also outside, and the Member for Calgary-Elbow gave, I think, a very good summary as far as the work of the committee. You know, I will say that I don't think we're going to come to any sort of consensus here within this Chamber about the work that the committee did, and I think it's more valuable for us to move forward and decide and have some debate on the legislation in front of us. To start finger pointing and blaming as to what happened during the course of the committee discussions I don't think is terribly productive.

But I will say that I was concerned by the number of recommendations from the committee, some of which were approved unanimously by the committee, that have now been changed inexplicably in this piece of legislation coming forward. I will give you an example. The initial recommendation for the limit on campaign spending for a constituency association was \$40,000 and \$50,000 for certain designated northern Alberta constituencies. Now, there was some concern expressed about that. At the next meeting, after an adjournment of the debate by the NDP committee members, quite inexplicably and quite arbitrarily that number was increased to \$70,000 and \$80,000, but there was no explanation.



There was no rationale given for that. In fact, it looked very much like a number picked out of thin air. That was the new number that was recommended, and that was the number that, in fact, was passed by the committee. Now, quite inexplicably, that number in the legislation has been changed to \$50,000. We don't know why. It hasn't been explained what the rationale for that is.

Furthermore, a second area that was changed was the maximum contribution, not the \$4,000 part but the part that could be given to a constituency association. Now, the previous limit was \$1,000 per year. That \$1,000 per year was very practical in terms over the course of an election cycle that it meant a single donor could not fund a significant portion of a campaign, especially given that the campaigns did not have a spending limit. Now, we in the committee pointed out that a \$4,000 limit, even when applied to a \$70,000 campaign, meant that if you had five relatively wealthy donors over the course of an election cycle, they could fund the entire campaign expenses. This, of course, sent the NDP off scurrying to their backrooms to determine some way that they could correct this obvious oversight, which they even said was an oversight on their part.

So now we have a situation where we don't have the limitation of \$1,000 to the constituency association. They've reverted to the \$4,000 to the constituency annually, which means that rather than restricting the donations allowed, they've in fact quadrupled the allowable constituency annual donation, which seems to me to run counterintuitive to getting big money out of politics. But now we're in a situation where literally, as the Member for Calgary-Elbow pointed out, three donors over the course of a four-year election cycle could completely bankroll a \$50,000 election campaign. Mr. Speaker, I think that that flies in the face of the stated goal of getting big money out of politics.

Many constituency associations spend a lot of time and effort engaging constituents, engaging donors, having annual or sometimes twice a year fundraising events that are dedicated towards building up, if you will, a campaign war chest for a political campaign. Now, basically, all you really need are three relatively generous friends. To me, that, I think, defeats the purpose of trying to get as many people engaged in the process as possible. I think it's a significant flaw.

Now, I will give the government credit or whoever in the government backrooms took a look at the committee's recommendations and decided to alter them; that is, whoever that mysterious person is or persons are. They did drop the rebates of 50 per cent of campaign expenses to both parties and candidates who receive 10 per cent of the vote total. That was a good move, and I'm glad that that is not part of the current bill. Certainly, that is something that was not supported by Albertans, and I would suggest that it was the single most opposed decision made by the committee during the entire time.

The final one in that exchange – and there are others, but the final major one was with regard to reporting by the chief financial officers of constituency associations. We had asked that that be moved from a quarterly requirement to an annual requirement. The Chief Electoral Officer, in fact, agrees with that. The Chief Electoral Officer has indicated that one of the things that they spend a great deal of time with in their office is processing these quarterly returns from constituency associations and that, in his opinion, it does not add to the transparency of the overall process and to the transparency that we're trying to strive for in electoral financing. So we agreed as a committee that that should move to annually.

Now, inexplicably, it's been moved back to quarterly, and when we ask, "Well, why quarterly, and what would that require?" we're even told that the quarterly reporting would become more meaningful. I'm not entirely sure what "more meaningful" means, but it

concerns me that it does create an onerous amount of work for constituency associations that actually have active fundraising events and have active fundraising.

The lack of restriction on government spending either during or before the writ period is something that I've already mentioned. Mr. Speaker, this is a concern. Now, I asked a question to the Chief Electoral Officer during the course of things. I said: if greater restrictions are placed upon political parties, constituency associations, and other entities over which the Chief Electoral Officer has purview, will that result in more of it going to other entities? And he told me that, without any doubt, the experience in other constituencies and other jurisdictions has been that it absolutely does drive it into other areas where it's not controlled, not monitored. So one of the unintended consequences of putting too high a level of restriction on both spending as well as donations is that it simply forces that into areas that are no longer being monitored by the Chief Electoral Officer. We have seen that in other jurisdictions, and I don't think it is something that we want to see in Alberta.

5:20

The second area that I have a tremendous amount of concern with, that resulted in a rather spirited debate on September 9, is this government's decision that the state should become involved in internal party affairs. It's stunning to me that they think that's a good idea. Mr. Speaker, that is a level of overreach that everyone who loves democracy, everyone who feels that political parties should at least have the freedom to operate without interference from the state should be very concerned about. It is a principle that is of great concern when we talk about the nomination process. The NDP members of the committee felt that it was important now for the government to step into an arena that it has never had any involvement with before; that is, regulating nomination contests. This is a concern for a whole long list of reasons. The principle of doing that is wrong. It also creates a significant increase in costs in the Chief Electoral Officer's office. In Elections Alberta, he suggested on questioning, it would cost approximately \$400,000 more per year.

In addition, there's a practical aspect. Nominations typically occur shortly before an election. If we have 87 constituencies and if we say that there are four nomination contests per constituency and there are, say, four candidates running per nomination contest, this would result in over a thousand returns having to be processed by the Chief Electoral Officer's office and approved in the time, then, before the next election comes. Since many nominations contests, in fact, happen shortly before the writ is dropped, in some cases even after the writ is dropped, how are we to know that the Chief Electoral Officer has properly done the due diligence that is required on these nomination returns? The short answer, of course, is that we can't.

In fact, Mr. Speaker, this level of overreach may not even be constitutional. In 2007 the Ontario Court of Appeal in the case of Longley versus Canada specifically dealt with this. A quote from the judgment was read into the record by the Chief Electoral Officer, that:

it deals with discussing the Chief Electoral Officer's restraint from involvement in political party affairs and specifically states that "any regulatory regime governing political parties must interfere as little as possible with the autonomy and internal affairs of political parties."

How political parties choose their candidates, how they conduct their nomination contests is no business of the state. Once the nominee is chosen, then they become part of the overall electoral process, but how they make that decision of a candidate is certainly not the purview of the state.

Mr. Speaker, at this time I would like to move an amendment. I would ask the pages to come and get the amendment from me. I have the requisite number of copies, and the original is on top for the Clerk's table.

Mr. Speaker, it is very clear that there needs to be some additional work done on this bill. Electoral financing is very important, and we did achieve some measure of agreement on a lot of different aspects of this, but there's still a lot of work to be done.

In that regard, Mr. Speaker, it's regrettable that the Ethics and Accountability Committee was not chosen to be reconstituted in some way, but we do have other committees that can take a look at this. With that in mind, I'd like to read into the record that I move that the motion for second reading of Bill 35, the Fair Elections Financing Act, be amended by deleting all of the words after "that" and substituting the following: "Bill 35, Fair Elections Financing Act, be not now read a second time but that the subject matter of the bill be referred to the Standing Committee on Families and Communities in accordance with Standing Order 74.2."

Mr. Speaker, it's my statement, and I put forward that there is still a great deal of work to be done here and that it is important that the committee, a new committee in this case, take the opportunity to review some of the deliberations that were taken by the Ethics and Accountability Committee. I think this referral motion would give them the opportunity to do that. I think that it's important that as we discuss electoral financing, that we look at some of the changes that were made from the time that the committee spent literally hours and hours and hours on this to some backroom, some mysterious person, who has decided to change those recommendations. That, to me, is a concern, how those changes could be made.

Mr. Speaker, it is with that that I would encourage all members of the Chamber to support this referral motion, and I certainly look forward to the debate both on the referral motion and on Bill 35 in general.

Thank you.

**The Speaker:** Are there any questions or comments to the Member for Vermilion-Lloydminster under 29(2)(a)?

Seeing and hearing none, we are on the amendment as proposed by the hon. Member for Vermilion-Lloydminster. It'll be identified as REF1.

The chair would recognize the hon. Member for Strathmore-Brooks.

**Mr. Fildebrandt:** Thank you, Mr. Speaker. I'm pleased to rise today and speak to Bill 35 and the amendment moved by the Member for Vermilion-Lloydminster. I thank him for his substantive contribution to this debate. I think he has a firm grasp of these issues, and I think he served ably on the committee. I think most members of that committee on all sides, at least initially, tried to find common ground across the aisle. I did not serve on that committee, but I've heard from members who did – the Member for Rimbey-Rocky Mountain House-Sundre, the Member for Calgary-Elbow, and others – who talked about the, I won't say nonpartisan, but let's say multipartisan nature or constructive partisan nature of that committee and the great work that it started off doing.

I support this amendment for several reasons. First, I believe that all bills should go to a committee. All bills should be heard by the public. They should be heard by experts in their fields and allow for testimony. We do this in Ottawa, and most of us do not hold up Ottawa as a particularly functional model of Westminster democracy. Most of us do not hold up Ottawa as a particularly open and transparent democratic body, but in so many aspects the House of Commons operates on a more democratic basis than this Legislature. They have a real committee system, not just the COW,

Committee of the Whole. They have a real committee system that all bills go through, and they can hear from witnesses, people who support a bill, people who do not support a bill, people who want to see thoughtful and reasoned amendments to a bill. We have no opportunity for that here. The all-party Select Special Ethics and Accountability Committee did have that opportunity, and it did for a time achieve, I think, some very positive results for Albertans and some positive recommendations, but that committee did eventually go off the rails.

We saw that committee over time become increasingly partisan, that the work across the aisle between the government members, the Official Opposition, the third party, and the two independents, that worked together for a time on some issues, but then it devolved into a much more partisan and aggressive way of doing things. There is a time for aggressive partisanship. I'll be the first to admit that, Mr. Speaker, but an all-party committee dedicated to reforming our democratic institutions is not one of those places.

We saw, unfortunately, the chair of that committee act as a whipped member of one particular side, consistently voting with the government on tie votes to get to ram the government's agenda through at every single stage.

5:30

You know, democratic reform is not like most other pieces of legislation that we deal with. When we deal with a budget, we expect that there will generally be sharp divisions between the government and the opposition. When we deal with many bills, in fact, there will be sharp divergence between government and opposition, and we accept that 50 per cent plus one of the votes in a Legislature is a good enough margin by which to pass legislation. For most pieces of legislation that is true even if we very much disagree or are on the 49 per cent side, if we could get up to 49.

But democratic reform, fundamental alterations to our democratic institutions, is different. We expect a higher bar to be set. When governments bring in sweeping changes to the way we elect our government, to the way we govern ourselves in Alberta, it is expected that there will be a degree of all-party agreement or, at the very least, one other major opposition party, a single opposition party, supporting them.

Ottawa is running into this issue right now where the Liberals are trying to ram down a single way of democratic reform against the opposition of the other opposition parties. There's no consensus on how to reform our institutions federally, and as such, federal reform will not have a real degree of legitimacy. Our democratic institutions need to be respected by more than just the party that happens to have the levers of power on one particular day. It has to be respected by all Albertans. There needs to be a broad degree of consensus that the rules are fair when we're making sweeping changes like this.

We saw the all-party committee descend from its very noble original goals where we saw the Premier and the Leader of the Official Opposition standing shoulder to shoulder, something unprecedented in the modern history of Alberta, in a genuine, hopeful attempt to reform democracy in Alberta. We worked with the government to get big private money out of politics, corporate and union donations.

But then that all-party committee got away from that objective. They were okay with leaving big government money in politics. Advertising during elections with taxpayers' money for partisan purposes is something that members of the government voted to leave in. They fought tooth and nail. Now, I remember when the Government House Leader sat in opposition in a lonely corner of the Legislature, on this side. He was dead against this kind of stuff. Even though he and I had very different opinions on matters of

fiscal policy, we generally shared, I believed, a genuine interest in reforming our democratic institutions and getting rid of the unfair advantages that governments have in partisan contests like elections. They believed in that, and they no longer do.

That committee became hijacked by a clear partisan agenda. The committee voted disgustingly to bring in taxpayer subsidies for elections. Now, when we are borrowing \$14 billion a year, it is unconscionable that taxpayers would have to support a political campaign, that taxpayers would have to open up their wallets even more to fund the campaign of a party they may or may not agree with. In Strathmore-Brooks just last week we had a fundraiser, and we did it the old-fashioned way. We went to the Patricia Hotel, and we had a nice steak. We raised money the old-fashioned way, Mr. Speaker. We raised money by inviting people in and asking for voluntary contributions. We didn't point a gun at anybody and say: you owe us your . . . [interjections]

**The Speaker:** Hon. members.

**Mr. Fildebrandt:** Oh, I'm fine with their chirping, Mr. Speaker. I love it. It's okay.

You know, we raise money the open and honest and transparent way, and we raise that money for our constituency association.

Now, I know the Member for Edmonton-Centre stood up and talked about the NDP still using constituency associations. They're shell organizations. They're mere constructs for purposes of nominations and nominations alone. They actually don't raise money. They don't perform the same grassroots function as constituency associations do for the Official Opposition or the third party or the two independent members.

While we are sitting here, Mr. Speaker, I pulled up the Elections Alberta filing for the last quarter for Edmonton-Centre, and do you know what it said? "Nil report." There was nothing to report. There's practically no money in that account because the NDP operates on a centralized model of control very similar to how they like to run governments. Just as the central party of the NDP runs their constituency associations effectively as empty shells, they also like to run their committees that way.

The NDP-dominated committee forced through a series of policies that, thankfully, were not reflected in the final bill. Now, I'm wondering about the section on the votes in the report of the committee that recommended taxpayer subsidies for campaigns. Where did that end up in this bill? Where did that go? I'm certainly glad that it's not here, but we haven't had an answer from the government members as to why that isn't in the bill. Could it perhaps be that one of their political staffers imported from NDP central headquarters in Ottawa, Toronto, or Vancouver moved to gut it because it was politically unpopular? Is it that the cabinet overruled their backbenchers who voted to bring in election subsidies?

We don't know why that was pulled out of the bill. I'm glad that it's not here at all. Taxpayers, I believe, would be outraged if we are using taxpayers' money to support their own election. I know people in Strathmore-Brooks, Mr. Speaker, have no interest in seeing their tax dollars go to seeing these guys re-elected, but you know what? I don't think any amount of money is ever going to see these guys get re-elected in the history of Alberta.

Electoral reform is not a decision for one party, Mr. Speaker. It's not a decision. If we were on the government side of the Legislature, it would be not adequate enough for myself or the Member for Rimbey-Rocky Mountain House-Sundre or the current Leader of the Opposition to stand up and say that we're going to impose a complete reform of the system, and we're going to rig it in our

favour and not have the support of a single opposition party. That would be inadequate.

When the federal Conservatives made relatively small changes to the Canada Elections Act, relatively small changes compared to what they're doing here, the federal NDP stood up and cried bloody murder, Mr. Speaker. They called it the Unfair Elections Act. Their federal cousins, who run this party, stood up and called it . . .

**Mr. Mason:** Point of order.

**The Speaker:** Point of order is noted.

#### **Point of Order Allegations against Members**

**Mr. Mason:** Mr. Speaker, 23(h), (i), and (j) on that one. The federal party does not run this provincial party or the government. I find that offensive. I certainly think that the hon. member, you know, may be trying to bait members in this House since he enjoys being heckled so much, but the fact of the matter is that he is completely besmirching this government and these members and our party, and I won't stand for it. [interjections]

**The Speaker:** Hon. members.

The hon. Member for Rimbey-Rocky Mountain House-Sundre.

**Mr. Nixon:** Well, thanks, Mr. Speaker. I rise in regard to the hon. Government House Leader's point of order. To be clear, the record is clear. The NDP provincially and the NDP federally are the same party. There's the same membership there. It's all there. With that said, I am most interested in the debate. [interjection] I know the hon. Member for Calgary-Varsity really wants to stand on the point of order. I hope she does after, but I would like to finish, if that's okay. Thanks.

The hon. member, the Government House Leader, we would not want to see him offended. I don't know why he would be ashamed about his relationship with his federal party, but with that said, I'm happy to withdraw the comments on behalf of the Member for Strathmore-Brooks.

**The Speaker:** Thank you very much.

The hon. Member for Strathmore-Brooks. Please continue.

5:40

#### **Debate Continued**

**Mr. Fildebrandt:** Thank you, Mr. Speaker. I was referring to the federated nature of the NDP. We are looking at an electoral overhaul here imposed by the backrooms of the government, obviously, without at least the original support of the backbench members on the government side on the all-party Ethics and Accountability Committee. Obviously, it does not reflect even the government side members because that committee's report, as unsatisfactory as it was, is not reflected fully in this bill.

It is important, when we have a massive overhaul of the electoral system, that there be at least some degree of consensus between parties. When a single party tries to force its will against every single other opposition party in this House – four different parties, Mr. Speaker, represented here – then, clearly, something is wrong. Clearly, they're trying to game the system in their own favour.

There are too many examples here to ignore, Mr. Speaker. This is an important piece of legislation that governs who gets to form government in Alberta. It is governing government. It is too important to allow one party a monopoly on designing a system explicitly designed to favour their own interests.

This is not a bill to get big money out of politics. This is not a bill to make things more fair. This is a bill designed to ensure the re-election of a government that is desperately afraid that it will not be re-elected, Mr. Speaker. That is why we need to send this to a committee. That is why we need to refer this to witnesses and people who can give testimony, and we can hear from people who can give us a more objective and clear-sighted view of how we should properly do electoral reform in Alberta. That's why I will be voting for this motion.

**The Speaker:** Are there any questions or comments to the Member for Strathmore-Brooks under Standing Order 29(2)(a)?

The hon. Member for Calgary-Elbow. You're speaking to the amendment REF1, are you?

**Mr. Clark:** Yes, Mr. Speaker. I am speaking in favour of the amendment as proposed by the Member for Vermilion-Lloydminster. In addition to the fact that this committee did not have sufficient time to complete its important work, that was especially true of the review of the Election Finances and Contributions Disclosure Act, which Bill 35 seeks to amend.

It's very important, I think, that we have an opportunity to continue our work in certain areas. We spent a lot of time on this bill on certain things. A lot of time. We spent a lot of time on donation limits. There were amendments and subamendments and all sorts of different ideas. At the end of the day we came up with, I think, a general consensus.

**Mrs. Littlewood:** That you say were passed?

**Mr. Clark:** I'm being prodded by the chair here. My memory is being jogged as to whether or not we actually passed the \$4,000. The only reason I could think that was is that it was adjourned four separate times by the NDP.

Donations limits were certainly a topic of debate in discussion, as was the most controversial topic of all, which was using Alberta taxpayer dollars to subsidize political parties. Not my political party or the Member for Calgary-Mountain View's political party; the structure was only going to support bigger parties.

In their wisdom, I will give the government credit for realizing the error of their ways and pulling back on that very poor idea. We talked a lot about that. We talked a lot about loans, and we talked quite a bit about nomination contests, which, again, as we've said, I feel is an overreach. But one of the most important aspects of this bill, as we see emerging in Alberta politics and Canadian politics, is restrictions or lack thereof on third parties.

What's a third party? Well a third party is not the PCs in this house. No. A third party is what is often referred to in the U.S. as a PAC, a political action committee, or a super PAC. That's a real concern. When we have a restriction on what we're able to do within the political sphere, what political parties are allowed to do either in terms of fund raising or in terms of expenditure or where more restrictions are placed on reporting or on nomination contests, money is going to flow outside of the political process. That's a terrible, tremendous concern, I think, to all of us in this House but, far more importantly, to the people of Alberta. The implications of that are that we're going to see more American-style, polarized politics, where you stand up, the I Don't Like This Particular MLA PAC, I Really Love This Particular Party PAC.

**Ms Jansen:** Alberta Can't Wait.

**Mr. Clark:** Alberta Can't Wait is one of them. I'm not sure what it is that Alberta can't wait for, precisely.

**Mr. Fildebrandt:** Me.

**Mr. Clark:** No one has ever asked that question. I don't think it's the Member for Strathmore-Brooks. I don't think that's what Albertans can't wait for. No.

Regardless, Mr. Speaker, those are really important questions. What sorts of restrictions are even possible in a country that values free speech like the province of Alberta? Are the provisions in this bill the only way to deal with that? I don't know.

The reason that we want to dig deeper into these sorts of questions is so that we can get some answers for the people of Alberta and not simply have something imposed upon us, you know, even if the government will claim that they have done some work on it. I don't doubt that they have. But the purpose of a committee is to think through these things, to do so in a public way, and to hear all different perspectives on that.

Do we want more or less restriction on the political action committees? What is the give-and-take between what we want to see happen within the political process and what we want to allow or see happen outside the political process? Have we restricted it too much? I don't have clear answers to these questions because the previous Select Ethics and Accountability Committee didn't have an opportunity to consider them. One of the many reasons why I think a committee is warranted in this case and sending this bill to committee is so that specific area can really be delved into in a lot more detail.

You know, the other aspect of the Select Special Ethics and Accountability Committee we haven't really talked much about, although Strathmore-Brooks did touch on it, is: why is it that the only legislation we see on the floor of the Assembly in this fall sitting is Bill 35, that deals with the Election Finances and Contributions Disclosure Act but not the Public Interest Disclosure (Whistleblower Protection) Act, which is something the committee actually reported on? I'm happy to note that the committee was able to come to, I believe, if not entirely unanimous, nearly unanimous support on pretty much every one of those 19 recommendations. So the committee itself I think functioned very well. Again, I want to remind the House that the committee was actually quite a functional group for the vast majority of its time. I'm curious why we don't see that bill on the Order Paper, Mr. Speaker, yet we see election finances on the Order Paper.

Just while I have the floor, there was a point made by the Member for Edmonton-Centre about the NDP constituency associations. When you do no filing, no financial filing, you have no burden. It's straightforward. There's no work to be done, and you also don't risk deregistration, nor do you risk facing in this bill a \$500 fine. That burden is substantial on the volunteers who run constituency associations. That responsibility is great.

Again, in terms of the committee and the referral motion made by my hon. colleague from Vermilion-Lloydminster, I think it's important that we consider those sorts of things as well. How much time and effort is it going to take for volunteers on the constituency association to deal with that, and what is the impact on Elections Alberta? They've already said that they're going to need more money, in the hundreds of thousands of dollars, substantially more money.

The question that has not been answered for me at any point is: what problem are we trying to solve? Do we have rampant abuse of constituency association funds that we're unaware of? Is this something that Albertans are clamouring for? Do we see rallies on the steps of the Legislature? Mr. Speaker, I think the answer to those questions is: most certainly not, because the committee recommended unanimously, with the support of the ND government majority, to recommend only annual reporting for constituency associations to

reduce the burden on volunteers. By reducing the burden on volunteers, you create an on-ramp for more people to get actively involved in politics. That, I would hope, would be one of the objectives of the hon. members of this House. We want more Albertans engaged in politics, not fewer Albertans. That, unfortunately, is a consequence of this bill, intended or otherwise.

5:50

I'll give the government the benefit of the doubt. I would hope that they're not trying to tilt the playing field in their direction, but it sure looks that way, Mr. Speaker. It certainly feels that way based on my reading of the bill and my experience in working within constituency associations previous to being an elected member and now working with my own constituency association, just knowing the burden and the amount of work that it takes to file that paperwork as it is now.

I'll also emphasize that the amount of work that's required is no longer just simply a two-page form. I don't know what Elections Alberta is going to come up with, but it's certainly going to be much more complicated than what we deal with now. That is within the bounds of the rules; the NDs have chosen to do it differently, and that's fine. That's absolutely within their right to do so. Other parties do it differently, not just some other parties but all other parties. So it's very difficult for an objective person who was perhaps unfortunate enough to find themselves in the galleries this afternoon to hear arguments on both sides.

To just look at it on the face of it, it feels wrong. It feels wrong to have one party in charge that does things a certain way that's different from everyone else change the rules to fit the way they work rather than the way others work or some combination of the two. That not only feels wrong, Mr. Speaker. I think that is wrong.

So it's very important that we refer this bill to the Standing Committee on Families and Communities to allow for some more thoughtful consideration of all of the different aspects of this bill, including but certainly not limited to the aspects that I have raised. I think that it's not simply about the next election. It really is an opportunity to update and refresh core legislation that governs Alberta's democratic institution. That is something that ought to persevere beyond the next four-year election cycle.

Really, what I worry about, Mr. Speaker, is that once this government takes the approach of tweaking election legislation in a way that favours them, the next government that comes in in 2019 may be tempted to tweak that election legislation in a way that suits that government, and now we get into this cycle. [interjection] I hear the Government House Leader there asking for my assurance that when I am Premier in 2019, I won't do that. I can assure you, Government House Leader, that I will not do that.

**Mr. Mason:** Mark that down.

**Mr. Clark:** You've got it in *Hansard*. It's in *Hansard* for all time, Mr. Speaker. The world loves and Albertans love an underdog. It's going to be quite a *Cinderella* story, if I can quote one of the greatest films of all time.

In all sincerity, Mr. Speaker, if we do get into this cycle where we've got a government in charge saying: "Hey, it's our turn. We're going to change election laws and perhaps a raft of other legislation to suit our own political agenda" – in this case it's a very narrow definition of political agenda. It's about how we get elected, how we fund campaigns. So it has a direct impact on the political party of the government of the day. I would really hate to see this just ping-pong back and forth, that every time we change a government, all of a sudden the rules get changed, and things get entrenched to suit the way they work.

I'm not suggesting for a second that it wasn't that way previously because I think there certainly were quite a lot of rules that were put in place that suited the previous 43-year majority government. But let's be clear, Mr. Speaker, there was a real opportunity here and some genuine optimism in creating an all-party committee to review the core legislation that governs Alberta democracy. There was a real opportunity. I would love to be standing on the floor of this Assembly and saying: "You know what? We came up with a report. Not every aspect of that report was unanimous, but we had broad agreement on many aspects. Here we are, and we can debate a bill that reflects that." Gosh, that would have been nice, but unfortunately that didn't happen.

So here we are, and I think the only way out of that hole we find ourselves in is to refer this bill back to the Standing Committee on Families and Communities so that we have an opportunity to finish that important work. I will say, Mr. Speaker, that the good news is that a lot of the work is done. A lot of the work is done, and the Standing Committee on Families and Communities would have the opportunity to unearth all of the good work that has already been done by the previous committee. They would be able to review that work, and they would be able to accept many of those motions, I would hope, unanimously and very quickly and then get into simply breaking new ground. That would be, I think, very beneficial for democracy in Alberta. Perhaps they would even consider consulting Albertans on any changes they may like to see.

I'm sure that all those of you who are political watchers, as I am, have noticed that there's a debate and discussion going on on the federal scene about proportional representation and how we elect our MLAs or our MPs. That's a live discussion. There was a committee there that presented a report. Not every one of those recommendations was unanimous. There were certain recommendations that were made by certain groups of MPs. But I will note that that committee was not a government-majority committee. It was at first, and under pressure from Canadians – I think rightly so – the federal government decided to strike that committee in a way that balanced out opposition and government members. And I think that would be very helpful.

Now, the Standing Committee on Families and Communities does not have balance. It is a government-majority committee, but regardless I think there's an opportunity there to really dust this off, perhaps even consider other aspects, including the Election Act, and as that moves forward, I would hope that we have an opportunity to consolidate the Election Finances and Contributions Disclosure Act and the Election Act, which is something that the Chief Electoral Officer had asked of the committee, and the committee had unanimously accepted his recommendation to do so, Mr. Speaker.

With that, I will return to my seat. I would really encourage all members of the House – although I've been here long enough and I'm not so naive as to think that we're going to see a sudden change of heart, one can live in hope, Mr. Speaker.

Thank you very much.

**The Speaker:** Under 29(2)(a), hon. member?

**Mr. Hanson:** Yes, Mr. Speaker. Thank you very much. I'd just like to ask the Member for Calgary-Elbow – I had the privilege of standing in for one of the members on the committee this summer. I took a day from my constituency, drove two hours, and sat in the committee. I believe that day the government members adjourned debate three times in one meeting. It just seemed like every time they got backed into a corner, got knocked off their talking points, it was just immediately: oh, let's adjourn debate on that topic. So I was very, very frustrated. I basically felt like it was a real waste of my time. I shudder to think what all these meetings over the summer

cost Alberta taxpayers. [interjection] Sorry. I will speak through the Speaker.

I'd just like the member, if he would, to comment on his frustration, if he felt the same way during these debates.

**The Speaker:** The hon. Member for Calgary-Elbow.

**Mr. Clark:** Thank you, Mr. Speaker. Look, some of the adjourned motions were legitimate, and I think we need to recognize that. I also want to recognize that it wasn't just the opposition in the room. The government were there as well and almost always in person. So everyone had travelled and had done a lot of work.

But you're right. My personal observation of how things worked was that every government member had their computer screen up, and as soon as an issue would come up, they would sort of pause, look at whatever somebody had typed on the computer screen, and often would adjourn debate. I have no way of knowing what was on those computer screens and what they said, but it certainly didn't feel like it was an organic discussion amongst private Members of the Legislative Assembly. Now, again, I'm not so naive as to think that everything will be.

What it seemed, Mr. Speaker, in response to the question, was that there was someone somewhere else telling them what to do and that even the committee itself was not as free and open as it could have been, and that was disappointing. The number of adjournments: 23 motions were adjourned by the NDP in the course of the

deliberation of election finances and contributions disclosure alone. That's a tremendous number of adjournments and often in response to good questions posed by the opposition, with no answer coming from the government side.

It's unfortunate, but what it shows is that there's work to do, and that's why I think it's important that we take this bill, review it more thoroughly in committee.

Thank you.

**The Speaker:** Does anyone else wish to speak under 29(2)(a)? Calgary-Fish Creek.

**Mr. Gotfried:** Yes. Thank you, Mr. Speaker. I really appreciate the insights from the Member for Calgary-Elbow, particularly since he sat on the committee and saw some of the machinations that were going on there and some of the concerns he had. I'd like to hear from him a little bit more about the needs of Albertans in terms of our responsibility as legislators to address some of the concerns to ensure that we have the best possible legislation in place and to ensure that the transparency that is being requested by Albertans . . .

**The Speaker:** Hon. member, I hesitate to interrupt, but the Assembly stands adjourned until 7:30 this evening.

[The Assembly adjourned at 6 p.m.]

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For inquiries contact:

Managing Editor

*Alberta Hansard*

3rd Floor, 9820 – 107 St

EDMONTON, AB T5K 1E7

Telephone: 780.427.1875